

Restructure is part of poll tax reform

Heseltine plans could kill off county councils

By DOUGLAS BROOM, LOCAL GOVERNMENT CORRESPONDENT

THE cabinet will be asked on Thursday to approve the abolition of the community charge and local government reforms that will signal the demise of many county councils in England and Wales.

Michael Heseltine, the environment secretary, will present to the cabinet committee overseeing the community charge review proposals that would sweep away one of the two tiers of local government. These would be implemented at the same time as the poll tax is finally laid to rest.

In order to soften the impact of a new property tax, Mr Heseltine is proposing that central grants to councils should be increased sharply, while all or part of the cost of education and the police service would be borne centrally. Westminster sources said last night that the burden on local taxpayers would be eased by £5 billion under the plan. This figure represents the contribution poll taxpayers make to the education budget.

Michael Portillo, the local government minister, last

night announced plans to give councils an extra £10 million to cover the cost of implementing the new community charge reduction scheme. The strategy is designed to cut personal charges for about 18 million people before any new local tax is introduced.

If the environment minister's proposals are approved, local referendums would be held to decide whether the district or county council should be kept as the single unitary authority for each area, but many county councils fear the reforms would lead to their abolition. The minister is also urging his colleagues to approve the election of chief executives to run councils, although this idea has yet to win the support of the majority of the cabinet.

The proposals would allow large towns and cities outside metropolitan areas to revert to county borough status. It would also pave the way for the dissolution of unpopular creations such as Humberside and Avon and the reinstatement of historical boundaries.

District council leaders have already drawn up plans to preserve local county pride by creating ceremonial roles for counties stripped of their local administrative structures.

The proposals for structural reform will be announced at the same time as the replacement for the community charge. This is expected to be a property tax based on the capital value of homes. Ministers are close to agreeing that the new tax should be supplemented by a notional charge per head, levied on the assumption that each home contains three adults. Householders would be entitled to a rebate if they could prove that fewer adults lived at their address.

Mr Heseltine's preferred route would be to encourage schools to opt out of local authority control, but officials have warned him that it would create considerable additional bureaucracy. Some of the government's advisers are also alarmed at the prospect of 28,000 state schools coming under Whitehall control.

The restructuring proposals

were welcomed last night by Roy Thomson, chairman of the Conservative-controlled Association of District Councils. "We have always argued that district councils are closer to the people and more accountable than county councils," he said. "We also welcome the idea that communities should be given the choice. We believe that they will choose their local district councils."

The Association of County Councils, which is also Tory-controlled, said the proposals would destroy local accountability by placing vital local services such as education and the police service in Whitehall's hands. The reforms would also cost millions of pounds of taxpayers' money to implement.

Robin Wenden, the association's secretary, said the plan raised "serious constitutional questions" and he described the control of the education system as "the fulcrum of the distribution of power between central and local government". He said that the county councils would appeal to chief constables for their support if the local government proposals won cabinet backing on Thursday.

David Blunkett, Labour's local government spokesman, said: "This package is a political mess. These proposals smack of desperation rather than a coherent worked out programme for local government in the nineties."

Mr Heseltine was dismissed as a "shallow thinker" last night by the leader of the Tory MPs, who said the prime minister was rethinking his plans to scrap the poll tax (Nicholas Wood writes).

Robert Jones, the right-wing MP for West Hertfordshire, launched his attack on the environment secretary shortly before he was due to lead a delegation of about 25 backbenchers to see John Major about the introduction of a new tax. His remarks will be seen as further evidence of the more general unease on the right of the party about its direction under Mr Major's leadership.

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Modest Budget tax giveaway expected

By ROBIN OAKLEY, POLITICAL EDITOR

MINISTERS and MPs are expecting a modest tax giveaway of less than £1 billion in today's Budget. Tax cuts are expected to be concentrated on helping the lower paid.

The Chancellor is expected to have good news for Conservative MPs on at least three fronts: inflation, the trade balance and government borrowing. He will tell MPs inflation should be below 5 per cent before the end of the year.

It was also firmly believed in Westminster last night that Norman Lamont has proved adept in conditioning markets to expect worse news than he has to deliver and after reports of the government slipping back into a public sector borrowing requirement of £10-12 billion it will be little more than half that amount.

● The pound was caught in

heavy crossfire between the advancing dollar and retreating franc in hectic eve-of-Budget trading on the foreign exchange markets. It fell more than four cents against the dollar but was only slightly lower against the mark, leaving the way open for the Chancellor to cut interest rates by at least half a point today, or later this week.

Official data confirmed the recession but showed tentative signs that the economy could be starting to bottom out. Government finances proved better than expected last month pointing to a small budget surplus in 1990-1. Retail sales also increased by 1 per cent last month.

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Belgium's gain is Britain's duty-free loss

From PETER GUILFORD IN BRUSSELS

FIRST the good news: the European Community has decided to increase the amount of goods each holiday-maker can bring back into the country by 50 per cent.

Now the bad news: Belgium has blocked the inclusion of cigarettes, alcohol and petrol under the deal. The Belgians fear this would create a nation of day-trippers flocking to nearby Luxembourg to escape the country's exorbitant VAT rates. Belgium came under intense pressure from Britain and other countries to lift its veto, which applies to all tax questions.

Under the compromise deal, holiday-makers returning after July 1 this year will see their travellers' allowances for perfumes, clothes and other

luxury items jump from 390 ecus (£274) to 600 (£421) per person. The regime covers goods on which VAT has already been paid.

The deal is a minor coup for Luxembourg, which currently holds the EC presidency. Luxembourg also called on the community's finance ministers yesterday to set uniform VAT rates by the end of June. Tax would then be charged at the rate set in the "destination country" rather than the country where goods were bought.

Ministers agreed yesterday to exempt new cars, motorcycles, boats and aeroplanes from these rules. But customers would be free to buy second-hand vehicles wherever they choose at the cheapest VAT rate in the community, a move which could boost cross-border trade in cars considerably. In a separate dev-

elopment, Michael Heseltine, the environment secretary, and his EC partners agreed new laws on exhaust fumes from diesel lorries.

Speaking during his first EC council meeting since returning to the cabinet, Mr Heseltine said the move met Britain's tough demands, which were first lodged with Brussels by his predecessor, Chris Patten. The new laws would cut maximum permitted emissions of carbon monoxide, hydrocarbons and nitrogen oxide by more than half, bringing them into line with American standards. Soot "particulates", which are notorious for clogging up cities, would be restricted for the first time on diesel trucks. The limits will apply to all new vehicles from October 1996.

● PADBORG: Thousands of Danes crossed into Germany to buy cheap beer, fearing the EC might soon

change rules governing their current generous allowance, customs officers said yesterday.

Official figures were not immediately available, but the daily newspaper *Jyllands-Posten* reported that 88,000 gallons of beer had been brought across the frontier at the weekend. Denmark's high excise tax on alcohol means a bottle of beer costs less than half as much in Germany as in Denmark.

Danes living near the frontier struck it lucky last month, when the government raised the allowance for beer for personal use after the European Court of Justice ruled that the previous 2.2-gallon limit was illegal. The weekend rush was prompted by local press reports that EC finance ministers might agree changes that would cut the Danish allowance. (Reuter)



Girls' public day school first: Louise Aldridge, aged 14, left from Blackheath School, and Danya Froud, 13, from Streatham Hill and Chapham High School, taking a break yesterday from rehearsing with the girls' public day school orchestra. The orchestra is to perform in front of

Princess Alice today at a celebration concert at the Albert Hall to mark the 120th anniversary of the foundation of the Girls' Public Day School Trust. Eight hundred and forty girls representing 26 schools are performing works by Wagner, Brahms, Gershwin and Vaughan Williams.

Middle East tour for Bush

From PETER STOTHARD IN WASHINGTON

PRESIDENT Bush is planning a five-nation tour of the Middle East as early as the last week of next month, in order to maintain the momentum of peace following the victory against Saddam Hussein.

Preparations are also being made in the White House for a regional conference on the Palestinian question that could quickly follow the President's journey.

Signalling his willingness to risk his political winnings from the Gulf war on a more permanent regional settlement, Mr Bush said yesterday that he wanted to take any initiative, the greater the danger of a reversal to a status quo.

The president said there was no fixed date for his trip, which is expected to include visits to Israel, Syria, Kuwait, Saudi Arabia and Egypt. According to well-informed White House sources, the timetable for peace talks could be accelerated after further consultations in the next few days.

The president yesterday received an optimistic report on the ten-day mission to the Soviet Union and the Middle East by James Baker, the

Continued on page 24, col 5

Gorbachev wins bare majority

From MARY DELEVSKY IN MOSCOW

THE fate of President Gorbachev's plan for a new form of Soviet federation looked uncertain last night after the initial, unofficial results of the country's first national referendum showed only a bare majority of voters in favour of preserving the union.

The Soviet leader's problems were compounded by the large vote in the Russian Federation in favour of Boris Yeltsin's proposal for a directly-elected presidency. This was the worst possible combination for Mr Gorbachev, short of an outright defeat for the proposed renewed federation. It leaves the central leadership seriously weakened, and gives Mr Yeltsin, the president of the

Russian Federation, the mandate he sought to boost the power of his republic. The Soviet authorities ran a desperate scare campaign about the perils of secession, but although the Mr Gorbachev seems to have won the support of the majority of those who voted, backing for his proposal could have come from less than half of those eligible to vote.

The five Central Asian republics produced an average turnout of 90 per cent and a solid majority for "preserving a renewed federation of equal sovereign republics in which people of all nationalities are guaranteed equal rights and freedoms". The 80 per cent vote in favour of retaining the union in Kazakhstan was achieved only after the question had been altered in a way that will strengthen the republic's bargaining power. The turnout of voters exceeded 80 per cent in Belorussia and 70 per cent in Azerbaijan.

The national result, however, will be decided not in Central Asia or Belorussia, but in Russia and the Ukraine, the two most populous republics. The turnout in these was generally lower and preliminary figures suggested that the vote on preserving the union was precariously balanced.

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Strain of office is taking its toll on Major

Is John Major's health in good order? His wife and President Bush have their doubts. Alan Hamilton and Nicholas Wood report

Doctors both amateur and professional who have observed John Major in recent days have concluded that the prime minister's state of health is somewhat less than wholly agreeable, raising fears that his peculiarly punishing 111 days in office have exacted their price on his body.

He has been suffering from an intermittent ear and throat infection for the past two months. President Bush, who met him in Bermuda at the weekend, declared his British counterpart to be "wiped out." Mr Major, who was prescribed antibiotics by the governor's wife during his stay, wearily agreed. Sam Galbraith, who besides being Labour MP for Strathkelvin and Bearsden is a neurosurgeon, yesterday identified a clear case of over-exertion, and prescribed abstinence from photo-opportunities.

Even the prime minister's wife Norma has admitted: "He is awfully tired and not getting enough sleep." He has been unable entirely to shrug off a heavy cold he contracted over Christmas.

Dr Thomas Stuttard, who writes on medical matters for *The Times*, said yesterday that Mr Major was suffering from laryngitis; his laryngeal chords were red and swollen either from infection, misuse or both. During the last general election both Mrs Thatcher and Mr Kinnock had to be treated for voice failure engendered by a combination of over-use and stress.

That Mr Major is showing signs of strain is hardly surprising. In his brief tenure he has had to cope with the turmoil of a change in his party's leadership, the nation's biggest military adventure for 50 years, and a domestic agenda that is beginning to resemble the end of empire as the flag is lowered on much of the legacy of the last administration. He has already made at least ten overseas trips, and is trying to survive on four or five hours' sleep a night. At the height of the Gulf war, even that brief slumber was attenuated by

constant phone calls of the latest reports from Washington or Tel Aviv. He has been to Rome for a European summit, Washington, the Gulf (twice), Paris, Moscow, Northern Ireland and now Bermuda.

Even his restless and seemingly indestructible predecessor, who hardly paused between the midnight news and the *Today* programme, averaged only one trip every 60 days in an 11-year tenure.

The Bermudian trip was a case in point. After constituency engagements in Huntingdon, Mr Major flew from Britain on Friday night at about 9pm UK time and arrived on the island at 5am local time. He grabbed some sleep, but four hours later he was holding talks with the American leader. After a day of busy official engagements he was back on the plane to London at 9pm local time, arriving home at 8am Sunday morning. By midday, he was hosting a lunch for 50 guests at Chequers.

His punishing schedule, his aides suggest, is not helped by the curiously barren air-conditioning system on the RAF VC10 aircraft that carries him on so many of his overseas engagements.

Unlike American presidents, John Major was not obliged to make his medical record a plank in his election platform. It is known, however, that he nearly died as an infant when his mother contracted double pneumonia and pleurisy, and that he cheated death in 1967 when involved in a car crash in Nigeria after a night at the pictures. There is also the matter of his wisdom tooth operation last year, he cut short his convalescence to enter the thick of the leadership battle.

His Westminster friends defend him with claims of robustness beneath a frail-looking exterior. One said yesterday: "He has the constitution of an ox. To have come back from his wisdom tooth operation straight away when he was supposed to spend a week in bed only proves the point." In an interview Continued on page 24, col 7

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Seduction scene was ploy to lure husband to his death at hands of flying instructor, court told

Wife and her lover 'plotted to murder husband for money'

By MICHAEL HORSNELL

THE wife of a wealthy barrister plotted to kill him by faking a lawnmower accident so that she could inherit his £400,000 estate and make off with her flying instructor lover, a court was told yesterday.

Susan Whybrow, aged 50, began to implement the murder plot by seducing her husband in the front room of their home while, outside, her lover Dennis Saunders, aged 54, was waiting to carry out the killing.

The lovers planned to kill Christopher Whybrow, aged 50, then make it appear that he had fallen off his ride-on lawnmower and drowned in the pond at the couple's farmhouse at Leavenhath, Suffolk.

The intended victim had unwittingly given his wife the idea by pointing out a newspaper report of a case of a man who had died in a ditch after falling off his lawnmower, it was alleged at Norwich crown court. Mr Whybrow only escaped by swimming across the duck pond and running to a neighbour's house.

Mr Charles Kellett, for the prosecution, said the murder attempt was made on October 18, 1989, when Mrs Whybrow offered to have sexual intercourse with her husband in the front room of the house on

their 12-acre estate. While Mr Whybrow, aged 50, stripped, Mrs Whybrow sneaked out to a barn to tell Mr Saunders that the trap had been sprung.

When she returned to find her husband naked, she persuaded him to put his clothes back on, saying she wanted to undress him herself, Mr Kellett said. Mr Whybrow dressed and his wife began kissing him and luring him out into their back garden.

Mr Whybrow, who said he had since divorced his wife, told the court: "I had my back towards the door and suddenly I was grabbed around the waist. In no time at all I found myself flat on the floor face down with a man sitting astride me."

The jury was told that Mr Whybrow recognised his attacker as Dennis Saunders though he said that at first Mr Saunders pretended to be a burglar and asked him where his valuables were. He said he remembered being taken outside and hearing the engine of his ride-on mower.

The court was told that the two men struggled down the garden with Mr Saunders threatening to strangle Mr Whybrow and punching him in the face. Mr Whybrow said: "I looked up and saw my wife. I screamed to her 'Don't let him kill me.' She didn't

respond. Then she said: 'You have been horrible to me and irritated me.' Her mood had totally changed. She was screaming at me."

The couple, who have no children, married in 1979 and moved to the farmhouse in 1981. Mr Whybrow described his marriage as happy but said that in the months before the murder attempt they had been unable to speak to each other.

Mr Whybrow was tied up with a towing rope, blindfolded, and gagged with a pair of black ties before Mr Saunders led him to the side of the pond. Mr Kellett said: "Mr Whybrow heard the sound of an engine running. Eventually he realised it was his ride-on lawnmower. He began to fear for his life and a fierce struggle developed."

He managed to loosen his bonds and crashed into the pond which he swam across before running for help to a neighbour's house. He was drenched, his head was bloody, and he had pond weed over his clothing.

After his escape the two conspirators panicked and drove off in Mr Saunders's car. They went on a shopping trip to buy clothes for Mrs Whybrow before driving to Dover and catching a ferry to France. Mrs Whybrow used her lover's wife's passport.

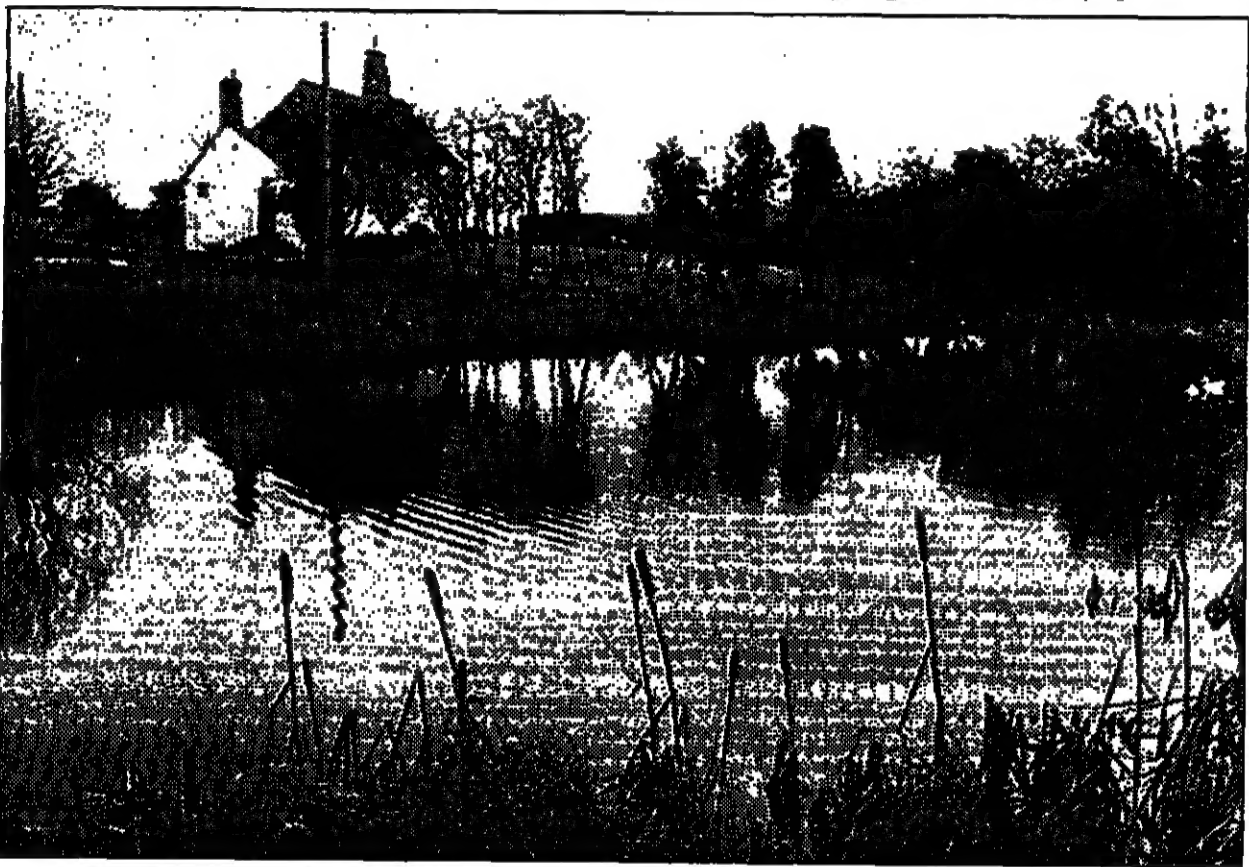
They drove through France to Italy where Mr Saunders's wife owned a house, only to find that they could not get in. A week later Mr Saunders, who was trying to divorce his wife, telephoned her, and after the conversation the lovers decided to come home. They were arrested at Folkestone on their return, Mr Kellett said. They allegedly told police that they simply planned to "stuff him [Mr Whybrow] up".

Mr Saunders, of Colchester, Essex, and Mrs Whybrow deny conspiracy to murder and conspiracy to cause Mr Whybrow grievous bodily harm. Mr Kellett told the court that they had pleaded guilty to kidnapping and to conspiracy to occasion actual bodily harm.

The trial continues today.



Etternal triangle: Mrs Whybrow plotted with Mr Saunders, bottom right, against her husband, top



The Whybrows' farmhouse and the duck pond that Mr Whybrow allegedly swam across to safety

Colleges halve chemistry course spending

By JOHN O'LEARY
HIGHER EDUCATION
CORRESPONDENT

SPENDING on polytechnic and college chemistry courses has halved in 15 years, the Council for National Academic Awards reported yesterday.

Much of the equipment is out of date and practical exercises are in danger, according to a group chaired by Norman Elmore, research co-ordinator of ICI pharmaceuticals. The age profile of staff is also a cause for concern.

The report, *A review of chemistry courses and teaching*, says: "The strengths of the courses are well established and a number of highly positive trends in learning and teaching are emerging. However, there are now serious concerns about the resources and skills needed to maintain the supply of highly trained chemists in the future."

Dr Elmore's group supports the view of university chemists that undergraduate courses can no longer include all the material expected of them. "This can result in unrealistic aims," the report says.

Good young staff are being lost to more attractive offers from industry and a grave shortage of chemistry graduates teaching in schools is causing serious problems, the report says. It recommends greater collaboration between colleges, polytechnics, industry and science organisations to make the most of resources.

Dr Elmore said yesterday: "The cuts made so far are manageable, but we want to be sure that the subject is protected. Personally, I favour four-year courses, but it looks as if we will have to live with three years and ensure that courses are as effective as possible."

Two High Court judges yesterday reserved judgment on whether Hull university acted lawfully when it decided to make a philosophy lecturer redundant despite his claim that he was entitled to security of tenure. Edgar Page, aged 60, was the first British don to be made compulsorily redundant.

Father's trial is unique case

A FATHER stood trial for manslaughter yesterday in a case which will make legal history. The man was charged after his son aged ten killed a boy on a bicycle while riding his motor cycle in a park.

The rare prosecution has been brought on the grounds that the father was grossly negligent in supervising his son. The father, who cannot be named, denies the charge. Gary McCann, aged 11, died from bruising to the brain after he was hit by the motor cycle as he and the ten-year-old rode in Victoria park, Leamington, Essex.

Michael Corkery, QC, for the prosecution, told Chelmsford crown court, Essex: "This is an unusual case of a tragic accident. The defendant's son was riding what in effect was a lethal machine. It resulted in the death of a young lad who was run down by the defendant's son."

The jury was told that nine months before the accident the father had been warned by police that the area was not suitable for motor cycles. On the day of the accident, two of the man's sons, aged eight and ten, were riding 60cc and 80cc motor cycles in the park. Mr Corkery said: "A couple walking in the park saw the defendant and his children riding their bikes very fast. They said the defendant was doing nothing to control his children."

The father told police that he used hand signals to communicate with his sons - a hand in the air meant stop and tapping his head meant slow down. He said that from where he was sitting he could see both sons. "For some reason one of the BMX boys started up the hill by which time I was out of my seat, running up the hill shouting 'no, no, no'," he told police.

Mr Corkery said: "The father clearly recognised the danger to his own children because they were wearing protective helmets and gloves. The Crown says the defendant showed a total disregard for the danger he was subjecting other people to. He clearly failed to exercise the right degree of supervision."

The trial continues today.

Drink-drive police chief banned

By JOHN YOUNG

A SENIOR police officer who headed his force's Christmas campaign against drinking and driving was convicted yesterday for a drink-drive offence.

Chief Superintendent Allan Thorne, aged 47, head of Gwent police traffic division, was found guilty of refusing to provide a specimen for analysis after being arrested in his Volvo car and taken to a police station. He was fined a total of £450, with £200 costs, and banned from driving for 18 months.

Mr Thorne, who had earlier pleaded guilty to failing to take a roadside test, claimed that he had been "set up" when a patrol car, in which the assistant chief constable, David Purkiss, was a passenger, stopped him a few hundred yards from his local pub on January 13. He told Chelmsford magistrates' court that he had drunk two-and-a-half pints of his usual "very weak shandy." His driving was not impaired. "I was fairly clear in my own mind that they had been watching me and waiting," he said.

Gerald Price, for the prosecution, said Mr Thorne was at the pub for two hours with his son Michael. Mr Purkiss saw his car and returned later with two other policemen to wait for him to come out and drive home.

Mr Thorne, who has been suspended, faces a disciplinary hearing before the chief constable, John Over, who has in the past called for stronger action against drink drivers.



Thorne after the court case yesterday

Concern at lack of law finals places

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE shortage of places on law finals courses for students wanting to qualify as solicitors or barristers is emerging as one of the chief worries of students seeking a law career, organisers of the Law Fair held in London last week said yesterday.

The large gap between the number of students seeking a law career and the number of places on the professional finals courses means that the courses act as a bottleneck, squeezing out many would-be lawyers at that stage.

"The problem of securing a place on a finals course is a recurring worry," Anne-Marie Martin, senior careers adviser at London university's careers advisory service said.

The difficulties have been made worse by the increasing numbers of non-law students now seeking a law career. They have to take a one-year conversion course before embarking on the finals course.

"Once they are on the conversion (common professional examination) course, they tend to have a guaranteed place on a finals course," Miss Martin said. "That means fewer places for the students coming out with law degrees."

The College of Law, the biggest provider of Law Society finals places, with its five constituent colleges throughout the country, has at least two applications for each

place, although some applicants will be doubling up on applications to polytechnics and colleges running finals courses.

More than 5,400 students from across the country attended the two-day Law Fair in London last week. It was sponsored by the Bar, the Law Society and *The Times* and was attended by more than 80 employers.

"It went very well. Despite the reported lack of opportunities, employers and students are very much looking to the long term. Students are hoping that by the time they qualify, we will be out of the recession," Miss Martin said.

Law firms and other employers had been anxious, she added, because they had not so many vacancies to offer students. "But students were not expecting huge numbers of vacancies, so they found the fair generally helpful as a profile-raising exercise."

The changing face of the profession was evident by the large number of women at the fair. There was also a number of students from the ethnic minorities, although the numbers of black solicitors representing their firms on stands were few and far between. "We were very pleased to have the Society of Black Lawyers at the fair, which helped redress the balance," Miss Martin said.

Princess buries the present for posterity

By ALICE THOMSON

THE Princess of Wales laid a time capsule of eight items representing the 1990s as well as a copy of yesterday's *Times* and a photograph of herself in the foundation stone of a new clinical building at the Hospital for Sick Children, Great Ormond Street, London, yesterday.

The ceremony mirrored one in 1872 when another Princess of Wales, Alexandra, laid the foundation stone of the old hospital building. On that occasion, a glass jar containing *The Times* and a photograph of Queen Victoria was buried in the foundation stone. In keeping with that ceremony, the hospital launched a competition for children to suggest four items that

best represented the 1990s in the hope that they will be discovered in hundreds of years time. The items were placed in the capsule with the copy of *The Times* and the photograph.

The winner in the 7-10 aged group was Sylvia Foulkes, aged 9, from Norwich, who chose a hologram of a snowflake, a solar powered calculator, British coins and five tree seeds. The winner in the 11-14 age group was David Watson, aged 11, from Paignton, Devon, who selected a compact disc, a sheet of recycled paper, a European passport and a pocket television.

The five-story building will replace a decaying block built in Victorian

times and will provide updated facilities. The building is due to be completed in 1993 and £34 million has been raised to meet the building costs. The redevelopment will include operating theatres, medical, surgical and cancer wards as well as wards where parents can stay.

The princess afterwards visited some of the long-term patients at the hospital and was so impressed by the charms of Michaela Lodrick, aged 12 months, that she told the seriously ill baby's father: "I would love a little girl. I am wondering if the world is ready for another me."

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Beginning April 3, each programme will offer significant improvements, including the opportunity to earn miles faster on more flights to more places than ever before possible.

United Mileage Plus members will earn miles on Pan Am, and Pan Am WorldPass members will earn miles on United.

And each mileage programme will now offer new awards – the Mileage Plus awards programme will offer international destinations served by Pan Am, and the WorldPass awards programme will include all destinations served by United –

providing trips to vast areas of the world for customers of both airlines.

Also, WorldPass members flying Pan Am enjoy the pleasure of special check-in facilities, priority baggage handling, even the exclusive privilege of ordering WorldClass Cuisine in advance. Upgrades require a mere 10,000 miles, and complimentary international trips begin at just 30,000 miles.

The Pan Am/United Airlines Agreement has resulted in one additional reassuring benefit. United has established a \$100 million ticket protection programme for Pan Am passengers. Details are available from United Airlines.

**NOBODY KNOWS
LATIN AMERICA AS WELL, OR
HAS SERVED IT AS LONG.**

South America was the first of five continents that Pan Am opened to U.S. air travel.

**We've grown with Latin America,
and helped Latin America grow, for over
sixty years now.**

From Mexico City to Maracaibo to Rio de Janeiro, Sao Paulo and Buenos Aires, we have schedules that can help make business easier and your vacation more enjoyable.

We added three new Latin American destinations to our schedule during 1990 - San Pedro Sula, Belize and Managua. In 1991, we've added two more - Cancun, Mexico, and Recife, Brazil.

Easy connections to seventeen important Latin American destinations, in all, from Miami and New York, our gateways to Latin America.

**STILL THE
NUMBER ONE AIRLINE FROM
EUROPE BY FAR.**

A much publicised provision of the Pan Am/United Airlines Agreement called for Pan Am to transfer a number of its London routes to United.

We wish to emphasize that Pan Am will still be flying to Miami and Detroit from London (Gatwick airport).

And our plans call for more transatlantic nonstop flights from more of continental and Eastern Europe this

summer than ever before in our history. In fact, we've just added nonstop flights from Oslo, Amsterdam, Zagreb, Lisbon and Barcelona to New York.

In all, we continue to fly nonstop from more European cities to the U.S. than any other airline in the world. From our major U.S. gateways, New York, Miami, Detroit, San Francisco, Los Angeles and Washington, you can make connections to forty U.S. cities served by Pan Am.

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THE CARIBBEAN. PAN AM INVENTED
SUN VACATIONS.**

The first U.S. commercial flight ever made over international waters was the Pan Am flight that opened the Caribbean to air travel back in 1927.

Today, we fly to Bermuda, the Bahamas and the Caribbean, serving eighteen islands in the sun.

Five destinations are new this winter: Jamaica in the Caribbean, and four served by Pan Am ExpressSM - Marsh Harbour, Treasure Cay, Rock Sound, and Governor's Harbour, all in the Bahamas.

And most pleasant of all, our wide range of destinations combined with our frequent service to those destinations not only lets you choose the kind of warm weather holiday you want, but gives it to you when you want it. Or need it.

**THE WORLD
OF PAN AM CONTINUES TO BE
A VERY BIG WORLD.**

Today, Pan Am continues to be the number one U.S. airline to the world - flying out of six U.S. gateways to over 110 cities in 51 countries on five continents.

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Pan Am for reservations and information.**

We look forward to sharing our world with you.

Again and again.

J. G. Blashfield

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Chairman and Chief Executive Officer
Pan American World Airways, Inc.

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Ritual abuse fears continue as child sex reports rise

By JILL SHERMAN, SOCIAL SERVICES CORRESPONDENT

REPORTS of organised ritual child abuse continue to be made in a number of areas of England and Wales, the National Society for the Prevention of Cruelty to Children said yesterday.

Last year the society raised the issue of ritual abuse after reports from seven of its child care protection teams of organised abuse involving ritual elements. Jim Harding, the society's child care director, said then children aged five had taken part in ceremonies where animals were abused and killed and blood was drunk.

Yesterday, announcing details of the society's 1990 annual report which showed that sex abuse cases had risen by nearly 20 per cent in 12 months, Chris Brown, the society's director, said that the seven teams were still reporting ritual abuse, although he refused to give details.

He said: "There is still evidence [of ritual abuse]. We are in the same situation as last year with the same number of teams putting in reports. These are very experienced people who are saying: 'In my 20-25 years of

work I am dealing with children who are in a situation which I have not come across before and I am desperately concerned about it'."

Mr Brown said that professionals still had little knowledge of ritual abuse. Sexual abuse was similarly relatively unknown five or six years ago.

"We take these children seriously. The society has in no way invented these stories and there is no conspiracy between different parts of the country. They have come from the children themselves."

The society's claims appear to contradict remarks by the police in the wake of alleged ritual abuse in Rochdale. Sir John Woodcock, chief inspector of constabulary, said last week that police had no evidence of ritual or satanic abuse inflicted on children anywhere in the country, and a lot of well-intentioned hype had got out of control.

The NSPCC gave further details of its workload last year as it launched a £1 million 24-hour telephone helpline which will start operating tomorrow. The society said it had investigated 4,385 cases of suspected child sexual abuse, compared with 3,680 in 1989, a rise of 19.15 per cent. Sex abuse was the second most serious cause for concern last year, rising from third in 1987. Physical abuse is still the most common form of harm. Last year 5,594 children were physically abused, compared with 5,204 in 1989.

The free helpline will be run by about 50 trained social workers. They will offer expert advice for people who suspect a child is under threat and will take calls from children.

The Child Protection Helpline can be contacted from tomorrow on 0800-800 500.



Brown: "The society has in no way invented stories"

Attack on 'naive' view of social work

By RONALD FAUX

IN THE aftermath of the Cleveland report, the criticisms in the Rochdale judgment and local authority spending cuts, morale among social workers in the North is at a low ebb. A social worker in Lancashire, who asked not to be named, complained: "Whatever we do in child abuse cases may later be construed as wrong."

Although Rochdale council has accepted the criticisms in Mr Justice Brown's judgment that it did not follow new guidelines, the British Association of Social Workers has attacked the "unjustified and unsubstantiated slurs" on social worker training contained in the judgment and has criticised other findings as being naive and unrealistic.

David N. Jones, the association's general secretary, said that where Rochdale social workers had not followed the Cleveland guidelines had been in the recommended partnership between social workers, parents and children. "There may be good reason for this. By allowing free access between parents and children

when organised abuse is suspected, there is no doubt that by threats or intimidation children may be prevented from telling the truth. Butler-Sloss came down in favour of erring towards more contacts between parents and children, taking into account the legal stance that the child should have access to the parents rather than the other way around."

Mr Jones said that social workers would resent the statement that psychologists or psychiatrists must be consulted before social workers intervene in sexual abuse cases. "The workers with most experience of sexual abuse are social workers who also have a statutory duty to make decisions and who protect thousands of children every year."

Equally unrealistic was the Rochdale judgment on the use of video equipment to record interviews between social workers and suspected child abuse victims. "There is no training, no facilities and no resources to provide either, and no likelihood of them being provided," he added.

Milk board monopoly dealt blow

THE Milk Marketing Board's monopoly powers have been dealt a blow by a government-appointed committee. It ruled that dairy farmers processing and selling milk direct to customers are entitled to a share in the board's profits (Michael Hornsby writes).

Loss of a share in profits has been a restraint on farmers tempted to operate outside the board's cartel-like marketing scheme. The committee's recommendation, accepted by the agriculture ministry, could erode the board's ability to keep producers in line.

All dairy farmers have to register with the board, though a few have been allowed to trade independently in return for paying a levy. Some have exploited legal loopholes to avoid paying the levy.

Among them is Hildale Farms, a Yorkshire-based dairy farmers' co-operative, which argued that, even though it was operating outside the marketing scheme, it was still entitled to share in profits because of its past investment in the commercial activities of Dairy Crest, the board's wholly-owned subsidiary. The committee upheld Hildale's case.

Research into game bird urged

WORRIES over the future of the capercaillie, the largest of British game birds and symbol of the Caledonian pine forest, have prompted the Scottish Landowners' Federation to lead an appeal to pay for a three-year research programme into the bird's ecology (Kerry Gill writes).

The programme, which will cost £100,000 in its first year, will establish the bird's population and distribution, measure population densities, and assess breeding success.

The capercaillie, a woodland grouse which takes its name from the Gaelic *capall coille* (horse of the woods), vanished from Scotland at the end of the 18th century. It was successfully reintroduced to Perthshire from Sweden in the last century but has since gone back into decline. In Scotland there are thought to be as few as 2,000.

The bird's decline has been blamed on the loss of its habitat, over-shooting, disturbance by dogs and over-zealous bird watchers. One of the main reasons for its decline is wet weather in early June after eggs are hatched. This is exacerbated by the loss of mature Scots pine.

Museum's exhibits take on an air of reality

By NIGEL HAWKES
SCIENCE EDITOR

A CESSNA 150 light aircraft touched down yesterday on the third floor of the Science Museum in Kensington, London, to become the first exhibit in an innovative gallery which aims to provide hands-on experience of the mysteries of flight.

Flight Lab, due to open in July, is the latest evidence of the museum revolution which has swept away dusty cases filled with dimly-labelled objects and replaced them with high-tech working models and demonstrations.

The Cessna will be fitted with a dummy instructor in one seat. Visitors will be able to sit in the co-pilot's seat and go through the full pre-flight checks as a recorded voice from the instructor guides them. The propellers will rotate and the rudder, elevator and ailerons will move in response to the controls.

The object, says Peter Mann, head of the inter-

active unit at the museum and the man responsible for Flight Lab, will be to provide both entertainment and instruction.

The Science Museum has always had working models and its most popular gallery, called Launch Pad, consists entirely of exhibits designed to show children scientific

and engineering principles through devices that work and can be experienced.

"Flight Lab will take the concept of an interactive gallery a stage further by linking all the demonstrations to a single theme," Mr Mann said. It will be next to the museum's aeronautical gallery, with its magnificent

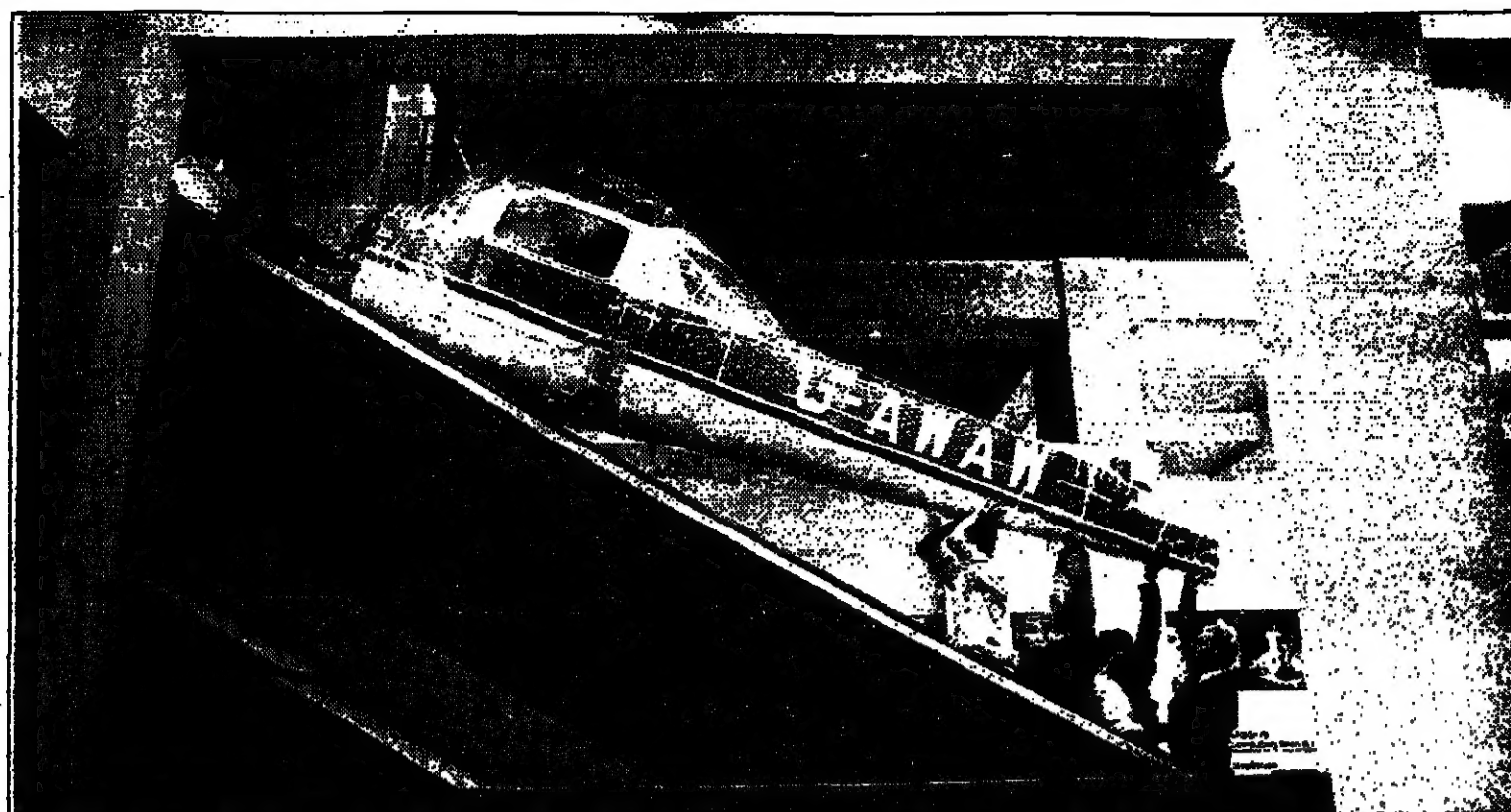
collection of aircraft, including the Vickers Vimy bomber that was the first to cross the Atlantic in 1919.

Most adults, he says, admit to having only the haziest notion of how an aircraft flies. At Flight Lab they will be able to put a hand inside a section of aircraft wing and feel the lift as air flows past it

in a wind tunnel. There will be a hot-air balloon with remote controls that allow visitors to ignite the burners and make it rise. A propeller will be rigged to a cycle to show the effort which is needed to make the man-powered aircraft Gossamer Albatross fly.

Money to create the new

gallery has come from the Leverhulme Trust, which contributed £205,000, and the Office of Arts and Libraries. Most of the exhibits are being built in the museum's workshops, but the Cessna - acquired cheaply after it was damaged in a gale - has been restored by a firm of vintage aircraft specialists.



Flight of fancy: a Cessna fuselage is carried into the Science Museum, London, where visitors will be able to discover what it is like to be pilot

FRESH BBC SUCCESSES AT THE BRITISH ACADEMY OF FILM AND TELEVISION ARTS AWARDS

BEST SINGLE DRAMA

NEWS HOUNDS

Sarah Curtis/Les Blair

COSTUME DESIGN

DINAH COLLIN

Portrait of a Marriage

BEST ACTOR

IAN RICHARDSON

House of Cards

FILM EDITOR

DICK ALLEN

Portrait of a Marriage

BEST LIGHT ENTERTAINMENT

PERFORMANCE

DAVID JASON

Only Fools and Horses

GRAPHICS

BBC GRAPHIC DESIGN DEPARTMENT

Summer on BBC1 Promotion

BEST ORIGINAL TELEVISION MUSIC

THE GREEN MAN

Tim Souster

THE FLAHERTY

DOCUMENTARY AWARD

THE LAST AFRICAN FLYING BOAT

David Wallace

BEST CHILDREN'S PROGRAMME (DOCUMENTARY/EDUCATIONAL)

IPSO FACTO

Madeline Wiltshire

SOUND SUPERVISOR

GRAHAM HAINES

Boris Godunov (Live from Leningrad)

THE WRITER'S AWARD

Simon Gray

DESIGN

STUART WALKER

Portrait of a Marriage

BEST ACTRESS

GERALDINE McEWAN

Oranges Are Not the Only Fruit

BEST FACTUAL SERIES

THE TRIALS OF LIFE

Peter Jones

FILM CAMERAMAN

CAMERA TEAM

The Trials of Life

BEST FOREIGN TELEVISION

PROGRAMME

THE TEN COMMANDMENTS

Krzysztof Kieslowski

FILM SOUND

ORANGES ARE NOT THE ONLY FRUIT

BEST DRAMA SERIES/SERIAL

ORANGES ARE NOT THE ONLY FRUIT

Jeanette Winterson/Phillippa Giles/

Beeban Kidron

VTR EDITOR

MALCOLM BANTHORPE

Casualty (Eps. 1 & 6)

ORIGINALITY AWARD

TROUBLESHOOTER

Sir John Harvey-Jones/

Richard Reisz

MAKE UP

JOAN STRIBLING

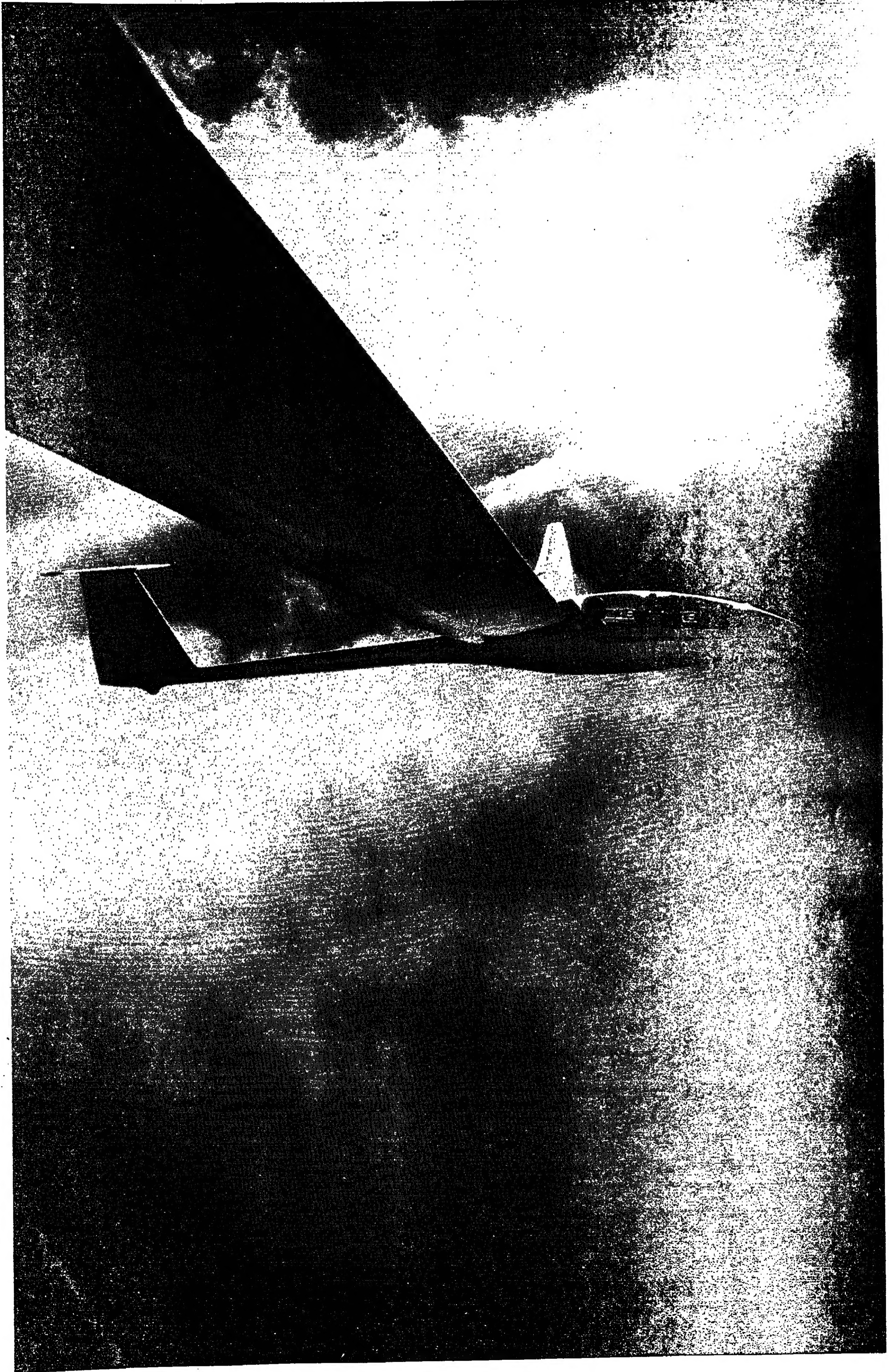
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Howe and Heath join forces to oppose war crimes measure

By OUR PARLIAMENTARY STAFF

A WARNING against pressing on with war crimes legislation in the face of opposition from the House of Lords was given to the government yesterday by Sir Geoffrey Howe, the former deputy prime minister.

He questioned whether it would be right to invite a jury to convict in such cases when the Commons had been unable to persuade the upper House of the bill's legitimacy. The bill was also opposed by Edward Heath, who said that he was more convinced that ever that its introduction was wrong.

Sir Geoffrey's intervention came as Kenneth Baker, the home secretary, moved the second reading of the bill which will allow the prosecution of alleged nazi war criminals living in this country. The bill was passed by 273 votes to 60 in the Commons last year and rejected by 207 votes to 74 in the Lords.

Mr Baker emphasised the decisive nature of the Commons vote. "I do not believe it would be right to ignore the

clearly expressed view of the elected chamber." There had to be an opportunity for the issues to be considered again, to see how far views had changed.

He expressed the hope that the Lords would allow the bill to pass, but he made clear that, if they could not be reconciled, the government would insist on the legislation. After 301 cases had been looked at, three were virtually prepared and three more merited much more extensive investigation.

"Few of us would have wished to have to confront these issues again now or to be reminded of the horrors which occurred. But the fact is that these allegations are before us, allegations so serious that the passage of time, however long, cannot blot them out", he said.

Sir Geoffrey said that MPs should ask themselves if it would be right to invite a jury to convict in such cases when the Commons had been unable to persuade the upper House of the bill's legitimacy. In the absence of that persuasion, and in cases as excep-

tional as these, MPs should think very carefully before allowing the bill to proceed.

Roy Hattersley, shadow home secretary, said that he would vote for the bill, although his doubts had been increased by some of the opinions expressed by peers.

"Part of my concern about this bill is that, although it is entitled 'War Crimes', it is concerned, not with war crimes in general, but with war criminals in particular. We know at least some of the individuals who the new law is intended to encompass. Some had been named in the report preceding the bill and some in a programme on Scottish television.

"We are considering legislation that may be used to prosecute people already publicly identified. Does the home secretary believe that prosecutions are possible under this bill, and is that the advice he has received from the law officers?"

Mr Baker said that it was not usual to disclose advice by law officers to any minister and he had to stick to that, but



On alert: Kenneth Baker, home secretary, testing a bomb detection device at the International Fire and Security exhibition at Olympia yesterday

he pointed out that there could be no proceedings without the consent of the Attorney-general and a judge had power to dismiss a charge if it appeared that on the evidence it would not be proper for a jury to convict. There were those safeguards and it would be proper to bring cases.

Mr Hattersley said that they were left with the justification that the bill was a demonstration of collective revulsion against the crime and the criminal and he regarded that as justification in itself. He would put money on the proposition that, once

the bill passed into law, they would hear no more of it. There could be no special rules of evidence in order to obtain convictions.

Edward Heath, former prime minister, repeated his opposition to the bill. He said that everything they had heard and read since the bill was last debated had left him even more convinced that to introduce the bill again had been wrong. There would be show trials and they knew what the press could do with them.

Sir Patrick Mayhew, Attorney-general, asked what he meant by a show trial.

Mr Heath: "If we get to these trials, does he imagine that the press are not going to make the most of it in these modern times? They cannot get television cameras into the court, but will certainly make the most of dramatic description every night."

Mr Heath was frequently interrupted as he went on to object to the retroactive nature of the legislation. But Ivan Lawrence, QC, Tory MP for Burton, pointed out that mass murderers must have known they were committing crimes against the law of the world.

Secrecy in Home Office attacked

By RICHARD FORD
POLITICAL CORRESPONDENT

THE Home Office was criticised yesterday for being unnecessarily secretive about the terms under which the passport office and forensic science service will operate when they become semi-autonomous agencies.

MPs also questioned the relationship that will exist between ministers and the chief executives of the agencies, particularly whether the executives would have enough freedom to manage staff and levy charges for their services. That issue is of crucial importance for the success of the government's Next Steps programme. Some trade union officials believe that there will be inevitable conflict between ambitious chief executives and ministers.

A report on the progress of the passport department and forensic science service to agency status said that it was incredible that two months before their launch as agencies there had been no public indication of the terms under which they would operate. The report by the home affairs select committee said that the terms would indicate the way the agency and the minister would relate to Parliament and it criticised unnecessary secrecy in withholding the documents from MPs.

The report also criticised officials for not deciding how much work the forensic science service would be able to carry out for defence cases.

Breath test plea rejected

EXISTING police powers are sufficiently wide to handle drink-driving offences, Lord Brabazon of Tara, a transport minister, said in the Lords last night. Police use of their present powers was having the effect of cutting the number of drink-drive incidents.

He was speaking on second reading of the Road Traffic bill, when he rejected demands for random breath testing. "There has been a tripling in the number of breath tests in the past decade and the percentage of positive tests continues to go down."

Lord Clinton-Davis, for the Opposition, said that drink-driving had played a part in one in six fatal road accidents. The Opposition would propose a free vote on the issue at the committee stage.



Green budget would hit cars

The Liberal Democrats launched their green budget last night to counteract what they expect today to be a "blue Budget". Simon Hughes, the party's environment spokesman, said that they wanted an end to all privileges given to company cars, cuts in vehicle excise duty for fuel-efficient cars, and tax incentives for the use of catalytic converters, diesel fuel and unleaded petrol.

A Liberal Democrat government would issue an annual report on the state of the environment and require all parliamentary bills to contain an environmental impact assessment. The party also proposes big increases in spending on public transport.

More injured by fireworks

A total of 805 people were injured by fireworks during last year's Guy Fawkes celebrations, Edward Leigh, consumer affairs minister, said in a written reply. That was less than 1 per cent more than last year; serious injuries were down by 7 per cent. Nearly 130 million fireworks were estimated to have been let off.

Ethiopia aid increased

The government is to give £430,000 to the United Nations High Commissioner for Refugees to help refugees crossing from northern Somalia into Ethiopia, Lynda Chalker, minister for overseas development, said at question time. She also announced that Britain is to give a further 7,800 tonnes of food aid to Ethiopia.

Parliament today

Commons (2.30): Questions: Defence; prime minister. The Budget. Lords (2.30): Child support bill committee, second day.

Hain protest record brought to the fore

By SHELIA GUNN, POLITICAL CORRESPONDENT

NEATH people can expect to hear much during the next three weeks about the past protests by Peter Hain against apartheid, nuclear weapons and sexual discrimination.

Press cuttings have been dug out to exploit the record of Labour's by-election candidate among the old-fashioned traditional Labour voters before polling day on April 4.

Peter Hain was picked last May to stand at the next general election before the death on January 14 of the sitting MP, Donald Coleman, precipitated him into the campaign.

Labour's official biography of their candidate, a former leader of the Young Liberals, emphasises, however, his local community work since his selection and describes him as a keen rugby, soccer and cricket fan to constituents who are fiercely loyal to their local clubs.

Complications for the main contenders - Mr Hain, Richard Evans (Conservative) and David Lloyd (Liberal Democrat) - are presented by David



Warman: an independent SDP candidate this time

Evans (Plaid Cymru), a local hospital consultant; an Independent Labour candidate, Rhys Jeffrey; and John Warman, the Independent SDP candidate who came third for the Alliance in 1987. □ General election: D.R. Coleman (Lab), 27,612; M.R.T. Howe (C), 7,034; J. Warman (SDP/All), 6,132; H. John (Pl C), 2,792. Lab maj: 20,578.

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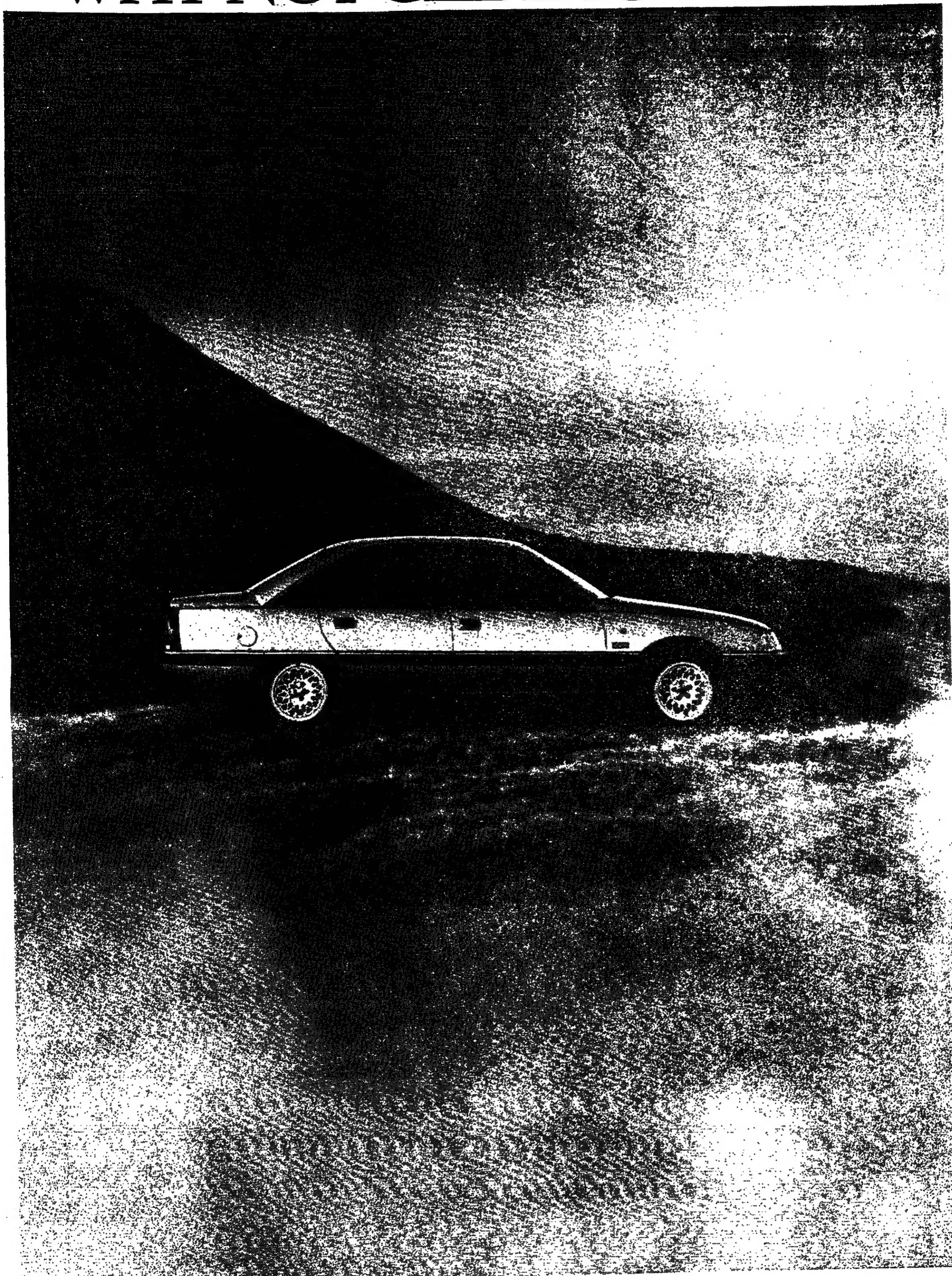
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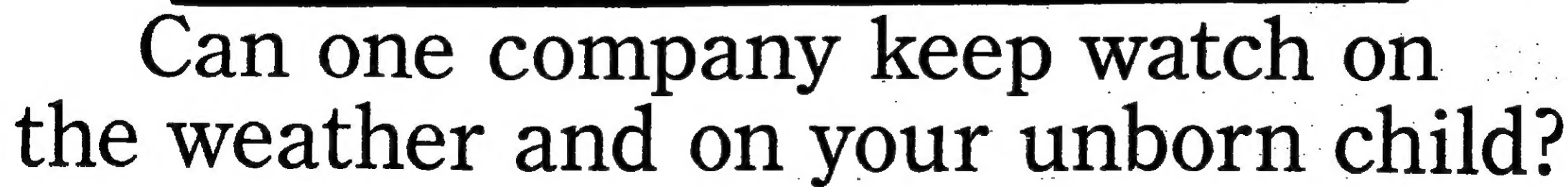
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Battle to govern townships centres on Johannesburg

FROM GAVIN BELL IN JOHANNESBURG

EMBATTLED townships around Johannesburg are emerging as the front line of a struggle for political control of black communities throughout South Africa, with an alliance of state administrators and Zulu warriors pitted against militant allies of the African National Congress.

A further 18 people were killed and more than 50 injured on Sunday when fighting erupted in Alexandra township and spread to a migrant workers' hostel in the city. The clashes were precipitated by the murder of two men on their way to a rally of the Inkatha Freedom Party, the conservative Zulu organisation led by Chief Mangosuthu Buthelezi.

Troops and riot police prevented Inkatha supporters from leaving the rally to take revenge, and a police spokesman said the other deaths were the result of sporadic attacks. One man was killed when police used shotguns and rubber bullets to disperse a mob attacking a squatter camp in the township.

The strife coincides with a campaign by civic organisations allied to the ANC to destroy black town councils, which they regard as anachronisms of apartheid. Hundreds of councillors have resigned, citing intimidation, and only half the councils in the Transvaal, the Orange Free State, and the Cape can muster quorums. The only province in which the campaign has had little effect is in Natal, Inkatha's power base.

Government officials have condemned the campaign as an attempt by the ANC to render the townships ungovernable, and to install its own structures, but a senior administrator took a controversial step further yesterday

by hailing Inkatha as a bulwark against ANC intimidation. John Mavuso, a member of the executive for community development in the Transvaal and a former member of the Inkatha central committee, welcomed recent statements by Chief Buthelezi that Inkatha would support local authorities working for orderly, peaceful change.

"The spines of the councillors have been stiffened by the words of Chief Buthelezi. They know that they will be supported by Inkatha and they are refusing to be browbeaten by the ANC," he said. "It has taken a long time, but now the message is clear. If the ANC carries on with its campaign, it will meet organised resistance. That message is being spread throughout the Transvaal."

Mr Mavuso said that the Soweto council was intact because it was run by a local political party which had links with Inkatha.

Jan Wolmarans, a senior official at the department of provincial affairs, expressed similar sentiments. The only effective way of countering intimidation was for the communities involved to "stand up and be counted" in resisting it, he said. "There are signs that the silent majority is getting fed up with what is going on. What we need is people to come forward and testify against the perpetrators of violence and intimidation. Then we can stop it."

Further controversy has been aroused by the publication of extracts from a memorandum by Prince Mokoena, the mayor of Alexandra. A newspaper quoted him as telling councillors in November that he had been allowing Inkatha supporters into the township because he was "sick and tired" of the ANC and an allied civic

organisation. Mr Mokoena is reported to have said that after an influx of Inkatha supporters, ANC activists were "speechless and shattered, whilst Inkatha card-carrying members walk with pride. When they step into a train, commuters use windows for exits."

Pepo Molefe, an ANC official, said ANC members were not involved in the latest clashes in Alexandra. "We want to reiterate that the ANC is not at war with Inkatha, for the ANC has nothing to gain in the internecine war that is taking place among our people," he blamed police for allowing Inkatha supporters to march through the township, while refusing permission for an ANC rally.

CAPE TOWN: Willem de Villiers, the minister of administration, economic co-ordination and transport, died in hospital yesterday after a heart attack on Thursday. (Reuters)

Military solution ruled out in Angola

A SENIOR Angolan guerrilla officer, General Peregrino Wambu Chindondo, described one of Africa's longest conflicts as unwinnable. He asserted that government troops enjoyed a clear advantage in firepower but lacked the will to fight on (Reuters reports from southern Angola).

General Wambu, chief of military intelligence for the National Union for the Total Independence of Angola (Unita), told a briefing at a rebel base at the weekend: "There is no military solution in this conflict."

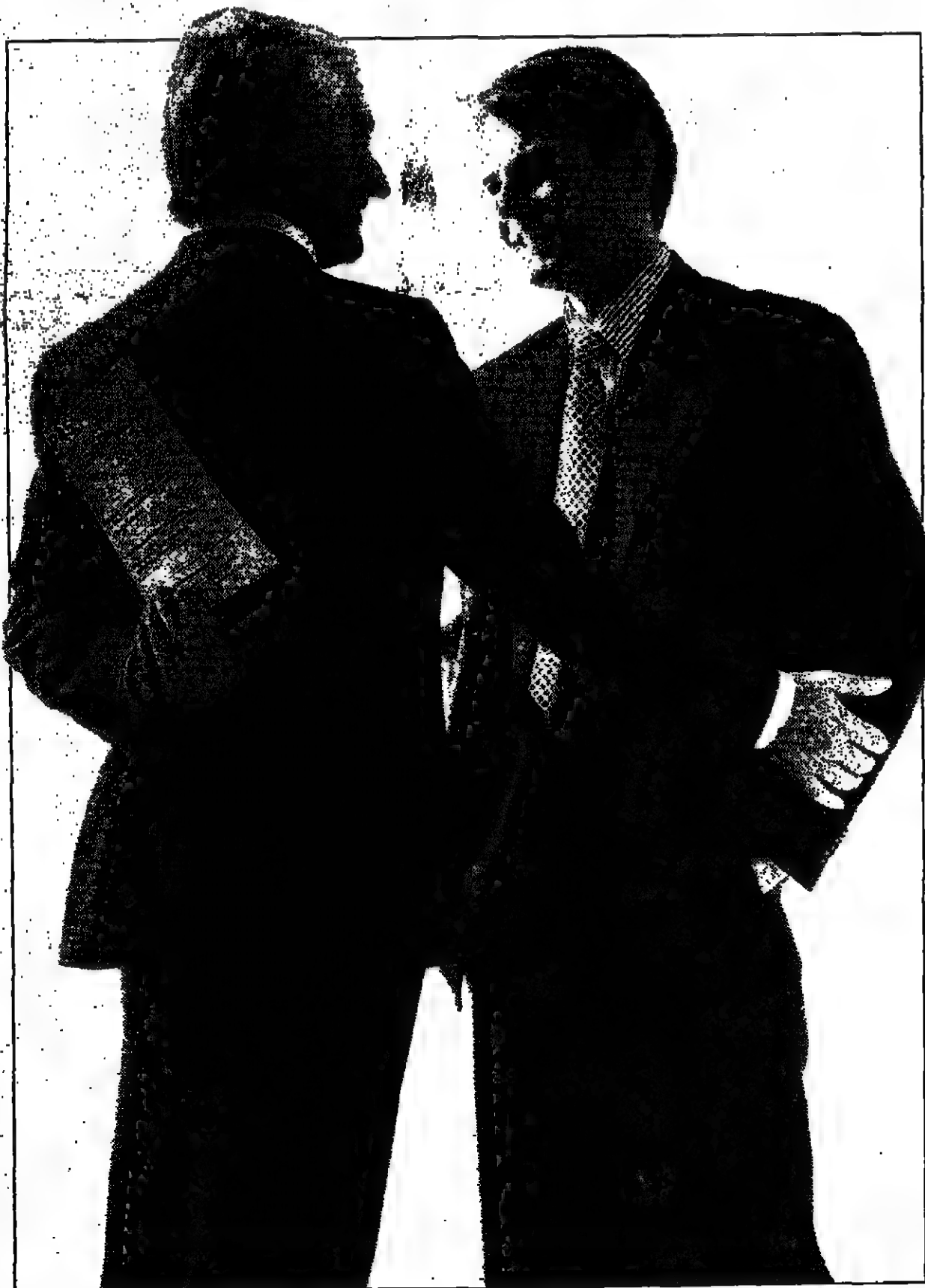
The Soviet Union, America and Portugal are mediating between Jonas Savimbi, the Unita rebel leader, who controls more than 50,000 guerrillas, and the MPLA (Popular Movement for the Liberation of Angola) government, which has about 150,000 soldiers, on a possible ceasefire and a timetable for elections.

Unita is trying to turn itself into a political party in preparation for the elections, which the rebel grouping is confident of winning.



Force for peace: Jonas Savimbi, the Angolan rebel leader, addressing a rally of his Unita guerrilla movement at a base in southern Angola, where he announced a plan to negotiate an end to the civil war

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Winnie Mandela trial told of assaults

By GAVIN BELL

A STATE prosecutor accused Winnie Mandela yesterday of participating in two additional incidents of kidnapping and assault, similar to the offences with which she is charged.

Jan Swanepoel was applying for recognition of "similar fact evidence" in the Rand Supreme Court in Johannesburg to prove Mrs Mandela's motive and intent in the abduction of four youths from a church mission in Soweto in December 1988. Mr Swanepoel said the first incident occurred in September 1988, when two people were taken from their homes by men.

They were driven in a minibus, in which Mrs Mandela was a passenger, to her home where they were lifted into the air and dropped, and plastic bags pulled over their heads. "Accused eight (Mrs Mandela) was present at



Mrs Mandela: "present at alleged assaults".

some stage during the assaults," he said. They were released the following day.

The second incident took place in November, when Mrs Mandela and others took a young man to see his father for the last time. "In the minibus was the 21-year-old son, who had obviously been assaulted," the young man was then taken to 585 Diepkloof (Mrs Mandela's address), where he was assaulted. He was never seen again.

Mr Swanepoel said this case was similar to the murder of Stompie Seipei. Seipei, aged 14, one of the four youths Mrs Mandela and others are accused of kidnapping and assaulting. He said he could produce witnesses.

George Bizos, for Mrs Mandela, opposed the application, saying it was improper and prejudicial.

Cameroon marchers clash with police

Yaounde — Dozens of people were injured, some seriously, when hundreds of pro-democracy marchers clashed with riot police in Cameroon's main city, Douala. Police attacked several hundred members of the Popular Action Committee for Liberty and Democracy and arrested "several truck-loads" of marchers heading for Douala's New Bell prison.

The demonstrators, who tried to enter the jail, were demanding freedom for all political prisoners, an unconditional general amnesty and a national conference to discuss political reform.

On Sunday more people were hurt when police used tear gas and clubs to break up a CAP-Liberte meeting. A government spokesman said the party did not have the right to organise meetings as it was not a legally registered political party. (Reuters)

Togo peace talks

Lome — Togolese opposition leaders called off a banned protest march after weekend riots and began talks with President Eyadema about the country's political problems. Leaders of the opposition Front of Associations for Renewal were confident before going into the talks. (Reuters)

Towns sealed off

Kampala — Government troops sealed off the towns of Gulu, Kitgum and Lira in northern Uganda after attacks in the area by the rebel United Democratic Christian Army. The defence minister, David Tinanyisa, said the rebels were operating in bands of 10 to 30 calling themselves "havoc groups". (Reuters)

Liberia plan

Monrovia — The International Committee of the Red Cross said it plans to evacuate 700 Ghanaians held by rebels in Liberia. The Ghanaians will be taken from camps in central Liberia run by Charles Taylor's rebel group. The move comes as talks to end the civil war are about to resume in the capital. (Reuters)

Niger challenge

Niamey — Niger's head of state, General Ali Saibou has been re-elected leader of the National Movement for the Developing Society and will keep the job until a conference meets in May to usher in political changes. (AFP)

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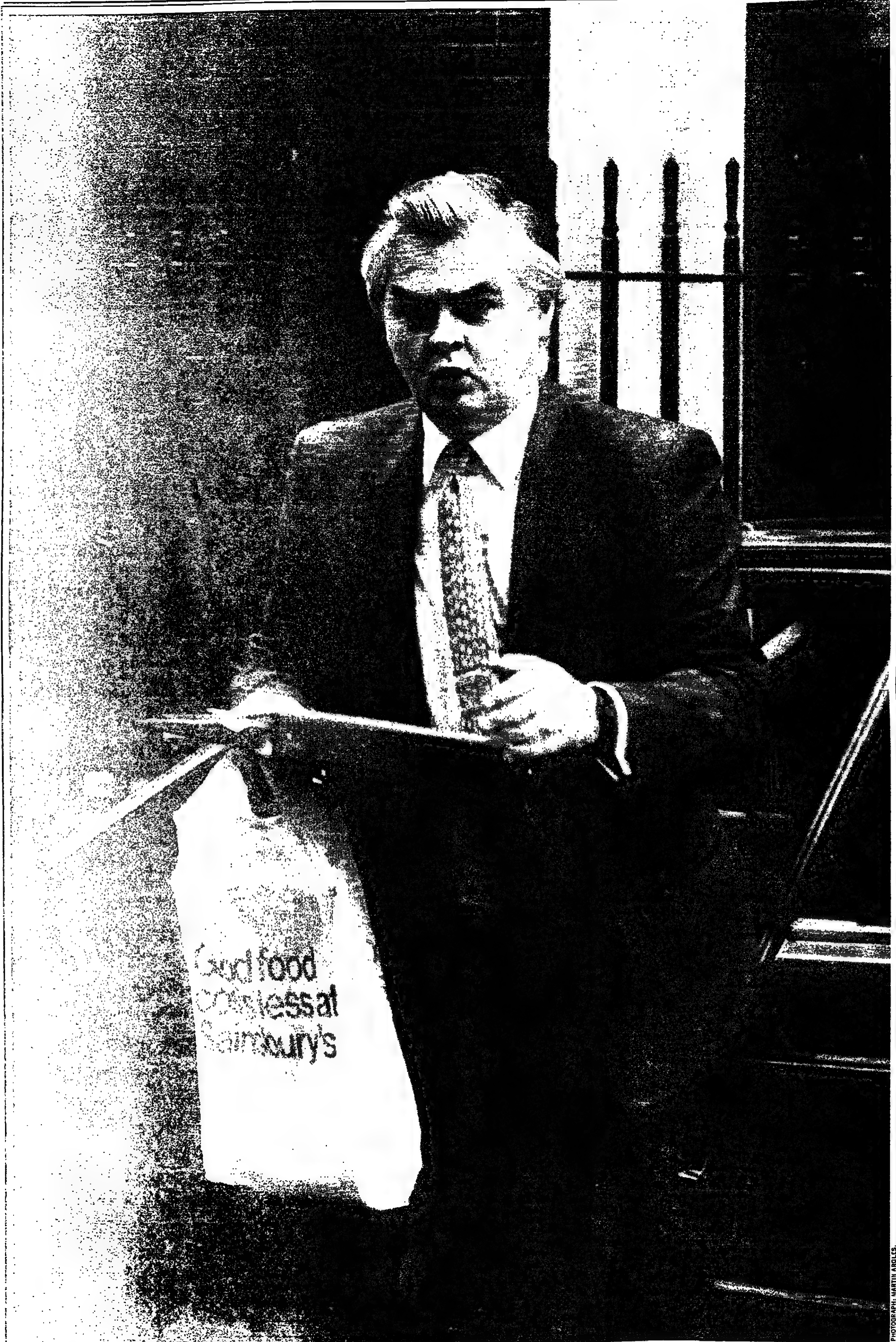
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US welcome masks acute frustration with Japan

From JOANNA PITMAN IN TOKYO

THE Japanese foreign minister, Taro Nakayama, will be greeted in Washington tomorrow with a display of studied smiles and fulsome gratitude from the Bush administration for Japan's generous and timely assistance during the Gulf war.

The smiles will be gritted and Capitol Hill's privately-voiced irritation at Japan's unwillingness to offer commitments of assistance during the conflict will be carefully muted. For President Bush is painfully aware that America's mutual economic dependence with Japan means that he cannot afford to offend Mr Nakayama.

Japan will not be taken to task for being a poor international partner. The postwar superpower status which America has found again also confirms two important truths for Japan: its international economic hegemony and the belief that it can get away without supporting a costly political or diplomatic foreign policy.

Japan spent the war boldly refusing to budge from a position of splendid isolation, despite an enormous vested interest in the stability of the Gulf, based on a 70 per cent dependency on imported Middle Eastern oil. While Japan's constitution - which renounces war - prohibited the sending of troops, the nation banned the export of gas masks, refused to send doctors anywhere within 200 miles of the fighting, and offered little more tangible assistance than a batch of Japanese-made Walkmans for soldiers in the desert.

At home, Japanese politicians reacted to the conflict with an unseemly display of political jockeying and party bickering, delaying Japan's decision to offer \$9 billion (£4.7 billion) in financial aid to the allies until six days after the war ended. Neither America nor Britain has yet received any of it.

Japan is unlikely to make any significant contribution to a postwar political solution for the region or to the maintenance of peace. A Japanese proposal last week to send to the Gulf a few of its mine-sweepers, which are among the world's most sophisticated, is already floundering because of political disorder, as is a plan to send Japanese to serve in a UN peacekeeping force in the Gulf.

Honda is reported to have received a 1 billion yen (£4.04 million) Kuwaiti order for

power generators and other Japanese companies are confident that their superior technological and financial capabilities will bring them copious reconstruction rewards in Kuwait and Iraq.

However, those who saw their countrymen die during the war are not impressed with Japan. A recent *Washington Post/ABC News* poll said 30 per cent of Americans lost respect for Japan. In comparison, 22 per cent said they lost respect for Germany. Half a dozen senators, intent on enhancing their image on Capitol Hill, are queuing up to launch a barrage of legislation aimed at renewing pressure on Japan to open up its markets.

Mr Bush and his coalition partners will sanction none of this. He and John Major will continue to offer largesse to Japan, like parents indulging a spoilt child, for as long as their national economies are inextricably linked with Japan's. Mr Major recently sent a message to the prime minister, Toshiki Kaifu, congratulating him on his \$9 billion pledge and requesting a portion to offset British wartime expenditures.

Mr Major also urged Japanese businessmen to consider building more factories in Britain. Already hooked on Japanese direct investment which has brought \$12 billion to depressed regions of Britain in the past three years, Mr Major is one of Japan's economic hostages.

His requests for more investment may be less productive. For an Export-Import Bank of Japan survey conducted last month shows that Japanese firms plan to slow their overseas loans and investments by 10.4 per cent in the 1991 fiscal year.

Japan's trading partners, suffering from the recession, will be keener than ever to plunder Japan to encourage a steady flow of yen. As long as they do there will be no impetus for Mr Kaifu and his colleagues to rid themselves of the widely-held image that they are both incapable of, and opposed to, formulating a foreign policy of their own.

According to Hisahiko Ozaki, the former chief of intelligence at the ministry of foreign affairs and the architect of Japan's foreign policy: "The two sins of our foreign policy are economic profit and security. As soon as we saw allied forces massing on the Kuwaiti border we knew our oil was safe. We could afford a negligible foreign policy."

Teacher's trial tops the ratings

With its white churches and trim New England streets, Exeter, New Hampshire, does not look the kind of place where a school-teacher would seduce her pupils into murdering her husband.

But that, according to prosecutors, is exactly what Pamela Smart, aged 23, did when she lured a 16-year-old and his two friends to her home, made love and then persuaded them to shoot dead her husband of only one year, an insurance salesman.

The lurid trial of Mrs Smart, a blonde, blue-eyed teacher, former cheerleader and friend to lost dogs, has turned Exeter into a circus of television crews and Hollywood agents and stolen some of the publicity from nearby rural New York, where Carolyn Warrum, another school-teacher, is on trial for murdering her lover's wife. Yet another woman is awaiting trial in New Jersey for allegedly paying a tramp to kill the wife of her lover, also a teacher.

Much of America has been riveted by the confession of William Flynn, who spent his 17th birthday on the witness stand describing how he shot dead Greg Smart, aged 24, at Mrs Smart's request. Mr Smart had been married less than a year when Mr Flynn and two teenage friends put him to death in his living room in May last year, according to the boys.

They used a pistol, they said, because Mrs Smart wanted to avoid staining the white furniture with too

much blood. Her only other request was to avoid killing her husband in front of the dog, because it might upset it. Before the final blow was fired, the teenagers testified, they demanded that Mr Smart give up his wedding ring. He refused, saying: "If I did, my wife would kill me."

The court has so far heard that Mrs Smart, a teacher and pupil adviser at the Hampton regional high school, was unhappy in her brief marriage but believed that if she tried to divorce Greg, he would take their flat and her dog. Then she met Flynn in a "self-esteem" programme for teenagers.

Flynn told the court last week that Mrs Smart invited him along with the two friends to her home and told him she could not stop thinking about him. After they watched a video of an erotic film, she led Flynn upstairs, undressed to her turquoise lingerie and performed a striptease.

The next morning, Flynn said Mrs Smart told him she wanted her husband murdered. "She was saying how she wanted to be with me. The only way she could see for us to be together is if we kill Greg." After two botched attempts, the youths performed the deed, making it look like a burglary, they told the court.

Mrs Smart faces a possible life term without parole if convicted of first degree murder.

Charles Bremner



The eyes have it: Shinichi Suzuki, the governor of Tokyo, greeting supporters yesterday after painting in one eye on a daruma doll in the capital, to give him good luck in the gubernatorial race. Traditionally, the other eye is painted in by the victor to give thanks. Governing party leaders have staked their political future on the Tokyo contest (AP reports from Tokyo).

Toshiki Kaifu, the prime minister, and other leaders of the Liberal Democratic Party are supporting Hisanori Isumura, a former television broadcasting executive, over the popular Mr Suzuki, who at 39 years old says he is fit enough to stand for a fourth term on April 7. However, Mr Isumura said a new leadership was needed to tackle problems such as high

land prices and overcrowding. Mr Kaifu, whose popularity has suffered because of his perceived weakness in responding to the Gulf war, could face renewed pressure to resign if Mr Isumura loses. Opinion polls show Mr Suzuki, who still has the backing of the local Liberal Democratic branch, in the lead. The prime minister made a personal plea to him to drop out.

Amateur video of beating by police prompts enquiry

From SUSAN ELLICOTT IN WASHINGTON

A HOME videotape of officers beating a man in Los Angeles after a car chase has caused an outcry in America about police brutality and prompted Washington to investigate.

Rodney King, aged 25, an unemployed labourer on parole for robbery, was beaten with sticks and kicked a fortnight ago by three police officers for two minutes while 11 other policemen looked on. The police gave chase to Mr King's car in a racially-mixed, middle-class neighbourhood after a California highway patrol car team reported it approached them from behind at between 110mph and 115mph.

The airing on national television of a tape filmed by a bystander, who was trying out his new video camera, ignited an outcry among civil rights groups. They said the Los Angeles chief of police, Daryl Gates, blundered in playing down the incident as "an aberration" and ignoring calls to resign. Minority groups, noted that Mr King was black and the officers white, and said the beating differed from many others in the racially

tense city only because a camera was present.

The Bush administration responded last week to the allegations of widespread police brutality towards blacks and Latinos by promising to review all complaints to the federal government of violence over the past six years. The justice department is investigating whether there are local patterns of police misconduct.

In Los Angeles, a grand jury indicted one sergeant and three officers during a separate investigation into the beating of Mr King.

Following the chase, Mr King was jailed for three days before his release without any charges.

Doctors said his injuries included nine skull fractures, a broken leg, concussion, a shattered eye socket, damage to his knees and partial paralysis of the face. Court records show a history of complaints against the Los Angeles police for brutality, although Mr Gates insists there is no pattern. Many law enforcement officials say the case highlights under-staffing.

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Ballot muddle leaves both sides claiming victory in Ukraine

FROM ROBERT SEELY IN KIEV

UKRAINE'S referendum became a "result for all seasons" yesterday after the republic's main political groups both claimed victory.

Communists said that figures on the first ballot were a mandate for the new Union treaty. "The majority voted for the Union, it's a victory for Gorbachev," said an adviser to the republic's presidency. But the independence group Rukh said that the results on the second ballot showed that Ukrainians felt they were voting for an independent state. "The referendum is a small step on our way to freedom," said Mykhailo Horyn, from Rukh's political council.

The republic's western provinces voted overwhelmingly in favour of complete independence for Ukraine in a third question put to them. Early indicators yesterday suggested a defeat for President Gorbachev in the capital, Kiev, and the republic's west-

ern provinces, although he is expected to win overall.

The eastern and southern regions have averaged 70 and 80 per cent "yes" votes respectively to the union referendum and to Ukraine's own poll on partial independence, set by the ruling Communist Party. The only clear question put to the electorate was in the Ukraine's rebellious western provinces of Lvov, Ternopol and Ivano-Frankovsk, whose citizens were asked: "Do you want a free and independent Ukraine?"

There was applause at Kiev's Writers' Union building when the initial figures for western Ukraine's questions were announced. In Lvov, 83 per cent voted for complete independence while in Ternopol province, 90 per cent cast pro-independence votes, equalling figures in the Baltic republics poll less than a month ago.

A spokesman for Rukh said: "If the whole of Ukraine had

been given a clear question instead of two garbled ones from the communists, the result would have been a call for independence. People voted for President Kravchuk's question on Ukraine's partial independence because they saw the word sovereignty and said 'yes' and people voted for Gorbachev's question because they saw the word Union on the ballot and they said 'yes' again. The communists ran a campaign saying that the questions were similar."

Rukh had made a list of claimed infringements throughout the republic's 34,000 polling stations such as multiple voting, voting without identity papers, denial of access to Rukh electoral officers, unsealed ballot boxes, the distributing of many ballot papers at a time and the seizing of non-communist election material. Western observers here said that they found some of the results "difficult not to disbelieve".

However to the average Ukrainian, the referendum will change little. Viktor Horokan, one young Kievite, said: "There was no point in the referendum. Even if the majority had voted against the Union that would not have changed a thing. If the Ukraine is ever going to be independent, it is not going to happen overnight."

● TOKYO Japan's ministry for foreign affairs yesterday refused to comment on the results of the Soviet referendum which indicated that over 70 per cent of the inhabitants of the disputed Northern Territories oppose returning the islands to Japan (Joanna Pitman writes).

Japan is still officially at war with the Soviet Union due to the Soviet seizure in 1945 and occupation ever since of Kunashiri, Shikotan and the Habomai islands, off northern Japan. The two countries never signed a peace treaty and the dispute has plagued relations ever since, reducing Japanese trade with the Soviet Union to a minimum. Last year it totalled \$5.9 billion (£3.1 billion), or less than 5 per cent of Japan's total trade.

A Japanese foreign ministry spokesman said he could not comment on another country's referendum. "There is no change in our stance that the Northern Territories are our own territories and we demand their return at once."

The government hopes that the visit to Japan on April 16-19 by Mr Gorbachev will help.

Richard Pipes, page 16
Leading article, page 17



Arrest fuels fear of new attack on Baltic nationalists

FROM ANATOL LIEVEN IN VILNIUS

IN A move that has increased tension here, the head of the Lithuanian national paramilitary force, Audrius Butkevicius, was arrested by Soviet troops in Vilnius early yesterday morning and held for almost 12 hours.

Mr Butkevicius was arrested with his driver, Vytautas Landsbergis, the Lithuanian president, described the arrest as "a Soviet terror action aimed at destabilising Lithuania".

General Zbigniew, the commander of Soviet interior ministry troops in Lithuania, told Mr Landsbergis that the two men had been arrested because they drove past Soviet Communist party headquarters where a bomb exploded two weeks ago. Lithuanians fear that the arrest may be the beginning of a new assault on Baltic independence in the wake of the referendum on the preservation of the Soviet Union.

After his release, Mr Butkevicius said that he saw the incident as part of a plan to bring his national defence force into conflict with the Omon, or "Black Beret" force which arrested him. He said that this could provide an excuse to impose presidential rule in Lithuania. Mr Butkevicius said that the soldiers had been polite, had accused him and his driver of not holding licences for their pistols, but had not questioned him about his work.

The national defence force has been recruited over the past nine months, largely from "sports clubs" and other nationalist organisations. He said that the defence force has about 2,500 men intermittently patrolling Lithuania's borders, and 600 guarding public buildings. However, only a minority of these have uniforms, and only a few dozen are armed mainly with rifles from the second world war and hunting weapons. The rifles come from caches buried by partisans when they gave up their struggle against Soviet rule in the 1950s. The defence force comprises the most hardline nationalist elements in the Sajudis movement, and Lithuanian liberals fear that it may threaten

democracy and peace among the various ethnic groups.

Grounds for believing that Mr Butkevicius's arrest was planned were given by repeated accusations on Soviet television that his men had been intimidating voters in the referendum. The Omon commander in Lithuania, Colonel Stanislas Makinovich, claimed on Sunday night that the defence force was preparing to attack polling stations.

Results of the referendum in the Baltic have begun to come in, although it is not clear what use the Soviet government will make of them. In Lithuania, the Communist Party is claiming that about 20 per cent of the electorate voted, although this figure must have included tens of thousands of Soviet troops.

In Estonia, the Communist Party is claiming a 30 per cent turnout. If true, this would mean that many Russians, who voted "yes" to independence in the referendum of March 3 also voted "yes" to staying in the Soviet Union — evidence of the confusion and uncertainty affecting Russian-speakers in the Baltic.



Hell hole: three Albanian political prisoners in Sarajev, peering out of their "exercise yard" — a cramped, stone pit covered with barbed wire. Human rights activists and Albanian opposition Democratic Party said yesterday that Albania, which claims

to have freed all political prisoners, was keeping many more political detainees in appalling conditions (see reports from Vienna). The Albanian authorities announced the release of 175 prisoners on Sunday. Representatives of the International Human Rights Federation, a human rights monitoring group, who visited Albania last week, said many more were still in jail. "So far they've released only 175 but there are many more," said Christine van Kahl, who visited four

prisons.

Hurd to meet Gorbachev for talks

By MICHAEL BRYNION
DIPLOMATIC EDITOR

DOUGLAS Hurd, the foreign secretary, arrives in Kiev today at the start of a four-day visit to the Soviet Union that aims to keep Britain's lines to the leadership open at a time of growing tension and confusion.

Western concern at Soviet attempts to break the letter and spirit of conventional arms agreements, the rising number of British export controls that remain unpaid, the need for the Soviet Union to observe the provisions of the Paris security charter and Moscow's participation in moves to establish peace in the Gulf are among the issues Mr Hurd will raise with President Gorbachev and with Aleksandr Bessmertnykh, the Soviet foreign minister.

He will also want to know how the Soviet leadership will treat the results of the referendum and assess how much President Gorbachev's position has been strengthened or weakened.

Mr Hurd still maintains that President Gorbachev is a reformer who needs Western encouragement to continue political and economic change.

But the foreign secretary will make a point of calling on Boris Yeltsin, the radical leader of the Russian Federation, whose position appears to have been strengthened by the referendum. Britain wants to assure Mr Gorbachev that if he plays fair on the Conventional Forces in Europe (CFE) treaty on arms reductions, the West will not try to marginalise the Soviet Union in the creation of a pan-European structure for security.

Serbia pushes Yugoslav state to brink of chaos

By DESSA TREVIAN IN BELGRADE AND OUR FOREIGN STAFF

THE Yugoslav federal state presidency, its membership halved by resignations, yesterday called for an emergency meeting with the heads of Yugoslavia's six republics in an effort to avert civil war.

The call comes after the Serbian leader, Slobodan Milosevic, plunged Yugoslavia into a grave constitutional chaos by withdrawing the Serbian representatives and announcing that he would now boycott the state presidency.

The federal presidency is paralysed and Vasil Tupurkaski, one of its members, told journalists that he would convene a meeting for Thursday in the hope that in the meantime the severed links with Yugoslavia's military establishment would be re-established. The armed forces favour strong-arm methods to prevent the disintegration of Yugoslavia.

The eight-member presidency, envisaged by the late Marshal Tito to work as a collective head of state, is the country's highest constitutional body. It includes representatives of all republics and

provinces, who rotate the post of president of the presidency annually. The presidency acts as commander-in-chief of the army and has powers to declare a state of emergency. It is also in charge of foreign policy.

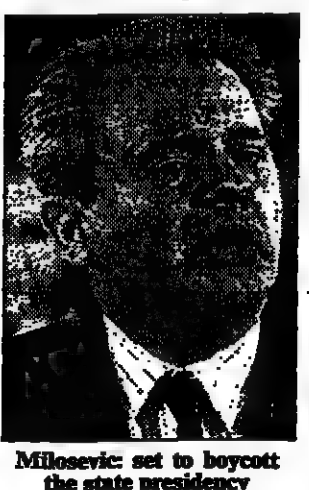
The move came after the Serbian parliament voted to dismiss Riza Sapunichin, the Kosovo representative, who was one of a narrow majority of presidency members who voted last Friday to oppose a military intervention in Yugoslavia. It left the presidency with only the four non-communist republics of Croatia, Slovenia, Bosnia-Herzegovina and Macedonia represented.

The Serbian head of the federal presidency, Borisav Jovic, resigned last week after an army proposal for a nationwide state of emergency was turned down. The Serbian province of Vojvodina and the small republic of Montenegro followed suit.

The removal of Mr Sapunichin effectively neutralises the presidency, as decisions in the collective body have to be approved by a majority.

The Slovenian president appears to doubt that Mr Milosevic would come to Thursday's presidency meeting. He said that all those who do not show up will be held responsible before "our nation and the world because the only alternative to continuing the dialogue is war."

The federal government has been in constant session ever since the dramatic Serbian walkout on Saturday, but the military so far has refused to co-operate. The minister of defence, General Veljko Kadijevic, ignored a request to attend the last meeting of the presidency on Saturday and has not shown up at a special session of the federal govern-



Milosevic: set to boycott the state presidency

Eurovision song sows disharmony in Norway

If Norwegian civilians had rather an easier Gulf war than many of their European neighbours, one reason was the domination of the news headlines for many weeks by a row over, of all things, the Eurovision Song Contest.

Just as the war was entering one of its several final, decisive phases, NRK, the Norwegian state broadcasting service, decided to drop the Norwegian finals of the competition, on the grounds that the standards of songwriting and performing were simply too abysmal to justify the air-time. The decision provoked possibly the greatest uproar since the resignation of the prime minister last year. In this part of the world the Eurovision Song Contest (or Melodi Grand Prix, as it is also known) tends to be an important family occasion, during which several generations, each with a bottle of whatever is appropriate for their respective age groups, will

gather round the telly and make a very long evening of it. In theory, everybody is having a good laugh at the awfulness of the whole thing; but in fact, there is in this, as in other fields of endeavour, an intense desire among the denizens of small provincial countries to put themselves on the map. The Eurovision tradition has spread to the national competition, whereby the song which will represent Norway in the ultimate European contest is chosen by countrywide ballot after performances of the 10 best entries during a special television broadcast.

This year there were 140 entries for the Norwegian title, but the bosses at NRK announced that they would simply choose the winning entry themselves, as was their right, and that was that.

Norway did gain a fleeting moment of Eurovision fame in the 1978 competition when its entry, performed by John Teigen, scored

zero points. Teigen, a roguish character, went on to build a reasonably successful career in Norway on the strength of his failure. In addition to his performing engagements, he now owns a string of businesses including a naturopathic pharmacy and Norway's only private pub-brewery, which even offers a nice line in Real British Ale. Teigen, as the world's best known Eurovision loser, has had a far livelier career than the two young ladies known as the Bobbysocks who gained Norway's only victory in 1985.

Another singer and show-biz personality, Aase Kleivland, was the television presenter for the Eurovision contest in 1986, the year after Norway's solitary victory: the custom being, that the winning nation hosts the programme the following year. After an interim career as director of one of Norway's under-

standably few outdoor amusement

parcs, Mrs Kleivland is now Minister of Culture. With these few exceptions, Eurovision appears to be the kiss of death for its artists, even if they win and even at home. Few Norwegians have prospered after appearances on Eurovision, while in the international arena the Swedish group ABBA is probably the only act to have made a mark. This, at least, was one of the arguments put forward by the Norwegian state broadcasters for cancelling the national contest.

Barely a week after the cancellation was announced, one of Norway's new commercial television channels mounted its own "alternative" Norwegian competition. This was won by a 22-year-old named Heidi, an understudy in the Stockholm production of *Les Misérables*.

But the official Eurovision producers were unimpressed. They chose a group known as "Just 4 Fun" whose members, as it hap-

pens, include Hanne Krogh, one of the original two Bobbysocks — the group that won in 1985 — plus an Icelandic drummer, a Gospel rock performer, and a girl aged 20 from Ostfold, a suburban stretch of the Oslofjord better known for its large and odorous pulp and paper industry.

Mrs Kleivland has been obliged to issue an official statement affirming her confidence in the decision of her broadcasting establishment, NRK, scrambling to make the best of a bad job, broadcast a consolation prize in the form of a Eurovision show to end — dare we hope? — all Eurovision shows: a 90-minute Norwegian retrospective encompassing the contest's entire three decades of mind-numbing banality. It was hosted, inevitably, by John Teigen. The minister of culture came too.

Tony Samstag

Finland jolted as coalition ousted

Helsinki — The opposition Centre Party's landslide victory in Sunday's parliamentary election caused a sensation in Finland, which is not used to political upsets (Olli Kivinen writes).

The party's new leader, Esko Aho, said the ruling coalition of conservatives and social democrats was broken as it had lost its majority. The Centre Party increased its share of the vote from 17.6 per cent in 1987 to 24.8, and its seats from 40 to 55. The Finnish Social Democratic Party fell from 41 to 22.1 per cent of the vote and from 56 to 48 seats, while the conservative National Coalition Party dropped from 23.1 to 19.3 per cent of the vote and from 53 to 40 seats. Women candidates did well and 38.5 per cent of MPs in the new parliament are female.

The Centre Party represents traditional rural values very different from those of the industry-oriented and consumer-minded social democrats and conservatives. The main reason for the coalition parties' setback was a deteriorating economy.

Dalai Lama call

London — The Dalai Lama urged Britain to take a firmer line in its dealings with Peking when he met members of parliament yesterday. He had earlier said on Radio Four that he knew the Chinese appreciated firmness, and some governments were unnecessarily cautious in their dealings with Peking.

Greenland win

Copenhagen — Lars Emil Johansen has replaced Jonathan Motzfeldt as Greenland's prime minister and formed a new government after elections on March 5. Mr Johansen emerged after a struggle within the socialist Siumut party, to head a new coalition with the left-wing Inuit Aqasiqut party. (AP)

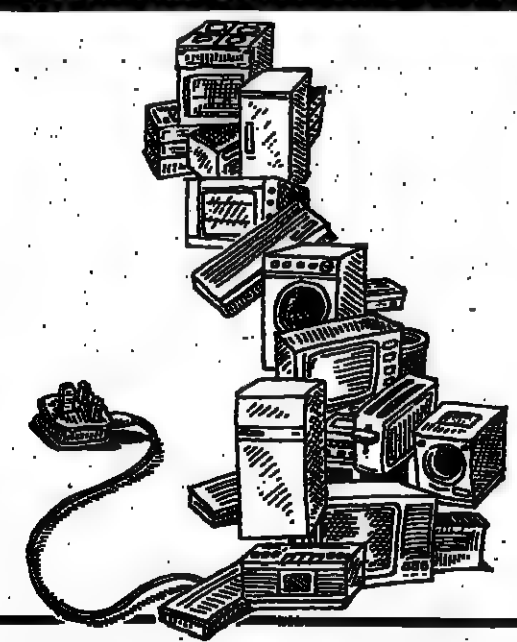
Pipeline spill

Los Angeles — An anchor from a tanker apparently ruptured an underwater pipeline in Santa Monica Bay, spilling oil over a five-square-mile area of the Pacific, but coast-guard said that 288,000 of the 350,000 gallons contained in the pipeline had been pumped back into the refinery. (Reuters)

Baby dinosaur

Peking — A Sino-Canadian research team has found a four-inch long fossil of a baby ankylosaur, a type of dinosaur, in China's Inner Mongolia region. It is believed to be the smallest ever found. The vegetarian ankylosaur lived 135 million to 65 million years ago. (Reuters)

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Shia leaders up in arms over Saddam

Shia leaders in Iraq have been up in arms over Saddam's policies, according to a report in the New York Times.

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Kuwait City Note

The never-defies the... Kuwait City Note. The report says that Shia leaders in Iraq have been up in arms over Saddam's policies, according to a report in the New York Times.

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Shia leader sets up rival government to Saddam

From HAZHIE TEIMOURIAN AND ALI JABER IN BEIRUT AND CHRISTOPHER WALKER IN CAIRO

THE most senior spiritual leader of the Shia branch of Islam has set up what amounts to a rival government to that of President Saddam Hussein in Iraq.

Grand Ayatollah Abul-Qasem Khoi said in a statement yesterday that he had set up a committee of eight men "to oversee the affairs of the Ummah (Islamic community) under the present circumstances". The statement, which was distributed by the supreme assembly of the Islamic Revolution of Iraq, one of the Iran-based Iraqi opposition groupings, said "in the middle of the present uprising in Iraq, the country is passing through critical days during which it needs order and stability".

Ayatollah Khoi has for long been seen as the leader of the most moderate wing of Shiism, opposed to political activism of the sort seen in Iraq under the late Ayatollah Khomeini. He has not intervened in politics since before the Islamic revolution in Iran in 1979. His decision will be seen by millions of his followers in Iraq and elsewhere as testimony to the seriousness of the situation in Iraq.

Ayatollah Sayed Ali Khamenei, the Iranian spiritual leader, called on Iraqis to open the Muslim holy month of Ramadan with prayers for those he called "the defenceless people" of neighbouring Iraq, killed by forces loyal to President Saddam.

Amid the claims and counter-claims made by rebels in various centres of exile, including Iran and Syria, and Iraqi officials, security experts were becoming convinced that pro-government forces were achieving greater success in the south of Iraq than in the battle for control of the mainly Kurdish north.

Diplomatic sources in Cairo, however, issued a warning that what had been a strong concentration of fire used against mainly Shia rebels in the south could soon be followed by a similar show of force in the north where some Kurdish leaders claim to have "liberated" up to 95 per cent of the territory.

Independent observers regard these claims as being exaggerated but believe that, in the long term, President Saddam may have to concede

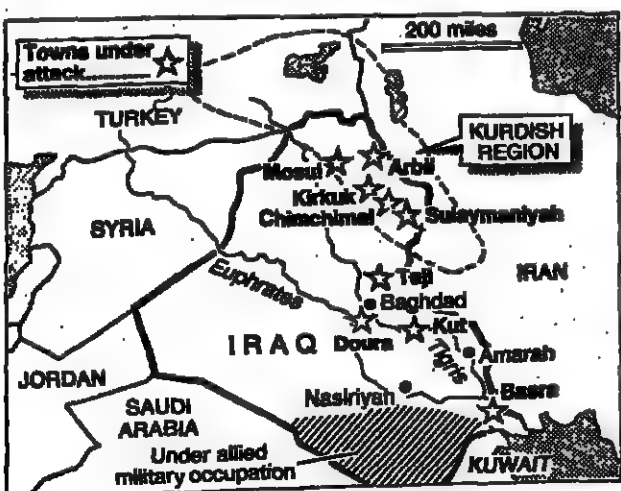
more independent control to the Kurds if he is to have any hope of survival. One European diplomat said: "If there was disinformation flying about in the war for Kuwait, there is now an impenetrable fog of it surrounding what is happening inside Iraq. What is certain is that the most vicious fighting is taking place with many old factional scores being settled in traditional Iraqi style."

Iraq's official press yesterday claimed that the army had crushed the revolt in the south. Baghdad newspapers alleged that the rebels had initiated bloodbaths and left cities in ruins while ransacking vital food stores. These reports were countered by rebel leaders who still claim to control around 20 towns and cities in the south.

In Damascus, headquarters of many of the rebel groups, it was reported that President Saddam was trying to regroup his forces in Baghdad and isolate rebels in the two suburban areas of Al-Doura and Al-Taji. Mr Bayan Jalal, spokesman for the Shia Supreme Assembly for the Islamic Revolution in Iraq, also claimed new battles near Al-Kut where he said rebels had shot down two government helicopters.

Western intelligence sources said that a broad picture showed President Saddam having a reasonable grip on most of Baghdad, a much more precarious hold in the south and facing a situation largely out of control in much of the north. Travellers from Iraq said that the army had now set up checkpoints around Baghdad at every one to two miles on the road south. The government, apparently trying to emphasise its progress against southern rebels, sent officials to tour cities recaptured from the insurgents, reported in many cases to be running short of ammunition.

Iraq's official news agency, Irna, hardly a pro-Saddam source, appeared to confirm some of Iraq's claims by reporting that fighting in the south was now mainly restricted to the outskirts of Iraq's second city, Basra. It quoted refugees as stating that the Republican Guard was using napalm to crush the rebellion.



KUWAIT CITY NOTEBOOK by Jamie Dettmer

One never-ending party defies the desecration

The American marines who guard the embassy here have never had it so good. The celebrations take place every night along the once fashionable seafaring road centre on the "Chicks", said a Kuwaiti man. "All they want is an American marine."

But there are drawbacks, or at least limits, to the adulation the marines are receiving. Behind nearly every young, flirtatious woman stands a suspicious, traditional mother. Guarding the embassy must be fought with danger. It comes under fire every night, not from hostile forces, but from young Kuwaitis shooting Kalashnikovs towards the main compound as a mark of esteem.

The nightly celebrations of liberation still have plenty of steam. While army engineers and bomb disposal units beaver away to make the city safe, Kuwaitis carry on with the party. How long will the celebrations last? "Months, at least three," said a Kuwaiti policeman, who has not yet returned to work. A young woman, draped in the Kuwaiti flag and wearing an American army cap, said: "We will continue to party so that the whole world knows how happy we are."

During the occupation, Kuwaiti women found themselves as never before having to be self-sufficient. They could not rely on family wealth or the formerly excellent state services to help. Women took on a far more active role and some were involved in the resistance. Many were tortured. Does that mean that they will now demand wider

rights in Kuwaiti society? Will they reject the limitations, albeit easier ones than for women in Saudi Arabia, that they have faced in the past?

Michael Weston, the British ambassador, is doubtful. "No, I think the majority of women will be happy to return home," he said. I doubted this until I visited a water distribution point in the district of Salmiyah. Men queued for water in one line and women in the other. Tradition was in the ascendant.

While the nightly party continues, life is being done to improve the appearance of the city. Rubbish piles up, damaged cars still litter the streets and the emergency food distribution is in tatters. Various neighbourhood committees have sprung up, but all they seem to do is announce what they are going to do. Last week, the Kuwaiti government made a half-hearted appeal for volunteers for emergency work.

Now Ramadan has started and even less work is likely over the next month. Allied commanders have warned their troops not to eat, drink or smoke in public places during the fasting month. Servicemen have been told that the roads can become more dangerous during Ramadan because drivers sometimes get dizzy with hunger. "All personnel should be aware that driving tends to become erratic, especially in the late afternoon period," according to the military memorandum. "We have already been fasting so long, it won't make much difference this year," said a student.



Saddam's shadow: Izzat Ibrahim, vice-president of Iraq's Revolutionary Command Council, pictured at a parade last October, has been made deputy commander-in-chief of the armed forces, according to Iraqi television, which referred to the title when he toured Kurdistan on Sunday to rally support for the president

Americans monitor Iraqi air activity

From MICHAEL EVANS IN RIYADH

AMERICAN Awacs, or early warning aircraft, are maintaining a constant lookout for Iraqi fixed-wing planes attempting to take off to attack rebel forces in Iraq.

Diplomatic sources said yesterday there had been no evidence of any Iraqi aircraft movement, since Iraq's request on Sunday, which was refused, to be allowed to fly planes internally. Iraq had agreed not to fly fixed-wing aircraft as part of the temporary ceasefire earlier this month.

Helicopters were excluded from the agreement, although, as President Bush emphasised, the coalition never intended to allow helicopters to be used except for taking troops and casualties out of the battlefield area. Iraq has been using armed helicopters to attack the rebels.

The American diplomatic sources said there had been no "new alarms" of ceasefire violations. However, American forces, who had moved further south, have now returned to their defensive positions at the Euphrates river.

Aircraft on combat patrol and helicopters have been left at the northern-most point of the American/Iraqi demarcation line.

Saudi Arabia repairs split with Tehran

From MICHAEL THEODOULOU IN NICOSIA

IRAN and Saudi Arabia are on the verge of renewing diplomatic relations, having compromised on the explosive issue of the annual Haj pilgrimage. The decision to end one of the Islamic world's most divisive feuds was reached between Ali Akbar Velayati, Iran's foreign minister, and his Saudi counterpart, Prince Saud al-Faisal, in talks in Oman over the weekend.

Oman's official news agency said the two countries were expected to resume within 48 hours relations severed in April 1988, nine months after 400 pilgrims, most of them Iranian, died in a riot during the Haj.

Days later, the speaker of the Iranian parliament, Hojatollah Ali Akbar Hashemi Rafsanjani, now Iran's president and leading pragmatist, vowed to avenge the dead by overthrowing King Fahd's regime and seizing Saudi Arabia's oil wealth.

Moves to mend ties are a sign not only of the dramatic shake-up in regional diplomacy after the war over Kuwait, but an indication of how far Iran has come in three years from an international pariah to a state courted for its respectability along with a key political and strategic role in the region. In the seven months since Iraq invaded Kuwait, Tehran has established diplomatic ties with Britain, Tunisia, Mauritania, Iraq and Jordan.

Sounding militant but re-

sisting moderate, President Rafsanjani's government gained much credibility abroad by remaining firmly neutral during the Gulf crisis, while appealing hardline opinion at home by condemning the presence of foreign forces in the region.

Even so, the resumption of ties with Saudi Arabia, is likely to infuriate many Iranian hardliners. One hardline deputy, Ayatollah Sadeq Khalkhali, recently likened King Fahd to the "governor of Alabama" because of his close ties with the United States.

President Rafsanjani was concerned that Washington and its Arab allies intended to exclude Iran from a post-war security structure for the Gulf after Syria, Egypt, and six Arab Gulf states recently signed a security pact in Cairo.

For Saudi Arabia the benefits of re-establishing ties are also enormous. After the traumatic experience with Iraq, Riyadh is keen to be on good terms with Iran, now the region's most powerful state, which once presented not only a military threat, but subversion through Saudi Arabia's minority Shia community.

The greatest advantage for King Fahd, who derives immense prestige as the custodian of the two holy shrines and who is keen for a successful pilgrimage after recent disasters, is that Iran will participate in the Haj at a time when American soldiers will still be on Saudi soil.

Shamir attacked on Arab talks

Jerusalem - Hardliners attacked the government of Yitzhak Shamir, the prime minister, yesterday over the suggestion that Israel might be prepared to negotiate the future of the Golan Heights with Syria (Paul Adams writes).

The controversy over the Golan Heights was triggered by remarks made by Ehud Olmert, the health minister, to pro-Israel lobbyists in Washington. Mr Olmert said that Israel was prepared to "negotiate immediate peace" with her Arab neighbours.

Torture fears
London - Amnesty International yesterday urged the United Nations to investigate the suspected arbitrary arrest and torture of Palestinians in Kuwait by armed Kuwaiti soldiers and civilians.

Late delivery
Tripoli - The Lebanese army has received a shipment of American military equipment nearly nine years after it was ordered. Delivery was halted in 1983 because Lebanon could not fully finance the deal. (Reuters)

Achille arrest
Athens - Italy has asked Greece to extradite a Palestinian, Khaled Abdul Rahim, arrested earlier this month and alleged to have helped plan the 1985 hijacking of the Italian luxury liner Achille Lauro.



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BLAMING LORD LANE

After the death of 21 people in two pub bombings in Birmingham in 1974, public anger for the rapid arraignment of the culprits led to the arrest of the famous Six. Later, an equally impatient public is demanding heads on the platter once more, this time, of the Lord Chief Justice Lord Lane.

The scapegoating instinct is unsound, and Lord Lane should be as sceptical of it now as he was when he was appointed to the post. He and other members of the judiciary could have been sceptical of it before. The fact that he dismissed the appeal of the Six in 1977 is not sufficient ground for his dismissal. Nor, though he could hardly have chosen worse words, was his remark at the end of that appeal that the longer it went on, the more convinced he and his fellow judges became that the accused were guilty.

The doctrine that judges should have to resign because their decisions have later been overturned would rapidly render the appellate system unworkable. By discouraging judges from overruling each other, it would encourage the perpetuation of injustice, precisely the evil on which the Birmingham Six case has cast such lurid light. The motion tabled in the House of Commons yesterday seeking a royal petition to the Queen to remove Lord Lane is therefore ill-conceived.

While his lordship should not be surrendering to an intemperate hue and cry, however, that does not leave him secure in his judicial fortress. Lord Lane is Lord Chief Justice. He has a wider responsibility than one unfortunate judgment. He personifies the criminal justice system, a system so urgently in need of reform that the home secretary, Kenneth Baker, has broken with a decade of practice and set up a royal commission. These reforms must restore confidence in the appeal system. They would do so all the more speedily if the Lord Chief Justice were to reconsider his position.

The creation of the royal commission acknowledges a systematic failure of the criminal appeals procedure to deliver justice. But the failure to do justice to the

Birmingham Six, as to the Guildford Four earlier, was also due to human error, by judges as well as by policemen and jurors. Only part of this error attaches to Lord Lane, but somebody must be answerable for such mistakes, especially in a context of constitutional separation of the judiciary from other democratic constraints. The senior judge cannot be entirely immune from the principle that the person in charge carries responsibility when things go badly wrong.

The Lord Chief Justice has a duty to keep an eye on those cases with which he is not personally involved. He has immense influence behind the scenes, away from the bench. He is a member of the House of Lords, in which capacity he has shown no inhibition in making controversial public remarks against the Lord Chancellor's reforms and about the need to protect the independence of the judiciary from the government. He is a man prepared to throw his weight around, willing to act as if he was personally responsible for defending the integrity of the system. By his own taxing standards he must be judged.

Lord Lane should have been awake to the catastrophic decline in public confidence in the appeal court, should have been joining in the debate and urging the home secretary and the Lord Chancellor to reform the system. He should have admitted publicly — with contrition — that his 1987 judgment was a grievously missed opportunity to correct one of the worst miscarriages of justice of his generation. If he now realises he was led to it in the course of those proceedings, some display of anger from him would have been in order. Instead there is an impression of impassivity, even arrogance, about his silence. He suggests the old judicial nostrum: that everybody can make mistakes except judges.

Lord Chief Justices retire at 75, which is far too old (and the royal commission should remember to comment on this.) Lord Lane is 73 this summer. He should not be hounded out of office. But he should retire, as soon as judicial dignity allows.

NO ZEAL FOR UNION

President Gorbachev's referendum will do nothing to preserve the Soviet Union. This is the only certainty to have emerged so far with many votes not yet counted and early results sending contradictory signals. But it is already clear that the Kremlin's expectation of an overwhelming endorsement of the union has been disappointed.

A one-sided media campaign, inducements to voters, multiple voting and other irregularities failed to impress the population. In Moscow, a bare majority of 50 per cent voted for "a renewed federation of equal, sovereign republics". Kiev voted against. The Ukrainians voted much more decisively "yes" to a supplementary about independence than they did to the Kremlin's question. The Russians themselves are half-hearted about the union. The peripheral peoples want to get out, and fast. Whether Mr Gorbachev has grasped what this means is unclear. The arrest of a Lithuanian official yesterday by the Soviet army suggests not.

The eventual result may be slightly better for the Soviet president, since rural areas and small provincial towns are more likely to support the status quo than great cities such as Leningrad and Kiev. But even if there is an overall majority of the population in favour of the deliberately vague question which Mr Gorbachev wanted answered, it is likely to be small.

Six republics did not take part. Three of them, the Baltic states, had already held referendums of their own, supporting independence. Russia east of the Urals and the central Asian republics (where the party machine still functions well) seem to have voted firmly for the union, but not the European nations. What Mr Gorbachev needed was clarity; what he has is confusion.

His rival, Boris Yeltsin, can be more than content with the large Russian majority in favour of direct elections for the Russian presidency. By using the referendum to consult the Russian Federation on this constitutionally separate question, Mr

Yeltsin has turned what might have been seen as a tactical defeat into a strategic victory.

Having made himself a symbol of the democratic opposition, Mr Yeltsin was placed in an awkward position by the referendum. Indeed it was partly devised to steal his clothes. He could hardly approve of the way the question was put, nor the Kremlin's influence on the campaign. Yet the referendum did set a precedent. The people were consulted; to abstain, as some democrats urged, would have weakened Mr Yeltsin's claim to represent democracy.

Mr Gorbachev will now find it hard to prevent elections for the Russian presidency going ahead later this year. Few doubt that Mr Yeltsin would be returned with a thumping majority. Mr Gorbachev would then look weaker than ever, since he has only an indirect mandate from the Soviet legislature. He dare not seek a direct one.

Will there still be a Soviet Union in a year's time? Probably yes, but it may well be smaller than at present. If the Kremlin's leaked predictions of a sharp fall in Soviet GDP during 1991 prove to be correct, the benefits of club membership are dwindling all the time. The Baltic, the Transcaucasus and Moldavia are already acting as though they were independent. Sunday's vote will encourage them to push harder at a door which no longer seems firmly locked.

Mr Gorbachev's economic experiment was not under scrutiny last Sunday. Had the people been asked about perestroika, there is little doubt that he would have received a rebuff. Yet even on his chosen ground, Mr Gorbachev failed to get what he wanted. As an exercise in Bonapartism, the referendum was a flop. On Sunday Mr Gorbachev said: "I don't think our people are suicidal." He is right but not in the sense he intended. The democratic spirit has escaped from the communist bottle. It can be recaptured only by those prepared to break decisively with the past.

WHAT AGE IS THIS?

The time capsule buried yesterday on the site of the new clinical building for the Great Ormond Street hospital is not intended to be exhumed by anybody now living. Its contents are supposed to represent the world we know to some human, or alien, excavator as yet unborn.

The ten items buried, all except the first two chosen by children aged seven to 14, are a photograph of the Princess of Wales, a copy of yesterday's *Times*, a snowflake of holograph, a compact disc, a piece of recycled paper, a Euro-passport, tree seeds, a solar-powered calculator, a pocket television and some British coins. Much like the choice of the England cricket team, this selection will be challenged all over the land.

Many of these items are open to future misinterpretation. Will some coming Olympic Games, for example, involve throwing a compact disc? An alien switching on the pocket television to discover Esther Rantzen interviewing a singing gerbil with wings on *That's Afterlife* may wonder if his journey was really desirable. But he is unlikely to have serious difficulty with some of the headlines in yesterday's *Times*. At the present rate, "Ministers to debate role of proposed EC central bank" will surface no less fresh a millennium or two from now.

As with most lists, this one reflects the obscurantism of the 1990s more than the 1990s. Where is Gazza? Where is the banana-

flavoured condom? Dan Topolski, the former Oxford rowing coach, was pointing out the significance of the condom on Radio 4's *Down Your Way*, even while yesterday's time capsule ceremony was going on. Mr Topolski noted that in the 1960s, Thames oarsmen dredged up condoms by the gross; in the 1980s they had disappeared (the birth pill) but now are back (fear of Aids). If ever there was a monitor of the passing decades, the condom in the Thames is it.

Apart from *The Times*, there is a depressing absence of the artistic and the aesthetic in the capsule as in the age group mostly responsible for filling it. The contents do show ecological concern, though the inclusion of tree seeds may be risky: "Tree forces ward closure" is not a headline to which Great Ormond Street should look forward. The most puzzling item is the recycled paper. How will the alien know it is recycled? Better to have included a litre of unleaded petrol, which might help explain the snowflake, by then rendered obsolete by global warming, due to the petrol.

What the finder might do with the recycled paper is hard to know, unless a few minutes spent with the other items leaves him of a mind to write a suicide note. At which point he will be left to ponder the psyche of a late-20th century generation which can bury something to write on but nothing to write with.

Vicious circle on aid to Africa

From Professor J. Pickett

Sir, It is right that, with attention still on the Gulf, relief agencies should highlight African poverty and call for swift public action to save those who may otherwise starve (March 12). Yet the conditions they would alleviate are recurrent, if not chronic. The important question is consequently whether external aid can help develop Africa so that there is enough food for everybody.

In this regard, British policy toward Ethiopia has reflected disapproval of the Ethiopian regime and so been confined to humanitarian relief. Through the EC and the World Bank, however, the British have helped finance limited development aid. This has been used, *inter alia*, to press policy reform on the Ethiopians.

As a result, peasants are now free to produce and sell what they like and have been promised inheritable rights of land use. Urban reform has also been promised and a legal framework for private, including foreign, investment is in place and those who can get foreign exchange, by whatever means, are free to use it.

Agricultural reform has seen a marked increase in cereal production outside the war-torn areas and on a recent visit to Ethiopia I saw many signs of lively — almost hectic — private enterprise. However, the advances in agriculture are not secure. More importantly, policy reform is probably stalled somewhere between promise and delivery.

The British and Americans have taken a so-far-so-good attitude and indicated that more reform is needed to see development aid restored. Since an expected increase in foreign exchange was a major argument for reform, this attitude has discouraged those in favour of change and strengthened those opposed to it.

There is thus a vicious circle. Donors hesitate because reform has not gone far enough, but reform is stalled because donors are being coy. The way forward lies in tough conditions. Substantial and sustained aid should be offered. Its delivery should, however, be phased and contingent upon clearly specified policy reforms. In the light of historical ties between the UK and Ethiopia, this country could appropriately take a lead in offering generous long-term help in this way.

Yours faithfully,
JAMES PICKETT,
University of Strathclyde,
David Livingstone Institute of Overseas Development Studies,
Livingstone Tower,
26 Richmond Street, Glasgow.

Equality for girls

From the President of the Girls' School Association

Sir, You report (March 11) that Rugby School is to go fully co-educational and that there are to be only 250 girls in a school of 750. This is not fully co-educational.

Boys will continue to dominate in the classroom: their interests will undoubtedly predominate on the playing fields and the majority of the teaching staff will remain male, with men taking all or nearly all the senior posts. I can see many benefits to boys' schools in admitting girls. I see fewer benefits for the girls concerned.

There are many excellent girls' schools where girls come first, where teachers of both sexes are experienced and skilled in drawing out the best from them and where senior posts are held by women. I would urge parents to look first at these for their daughters, but if co-education is preferred then to seek the genuinely co-educational school where boys and girls are equal in number.

Yours faithfully,
ENID CASTLE, President,
Girls' Schools Association,
130 Regent Road, Leicester.

War widows' pensions

From Baroness Jeger of St Pancras

Sir, Now that the Gulf coffins are coming home, it may be time to consider an anomaly in the payment of pensions to war widows.

All war widows lose their pensions on remarriage. But if there is a second bereavement officers' widows can have their war widows pension reinstated, subject to need. But this concession does not apply to widows of other ranks. Not a very classless society for war widows!

These facts were confirmed in answer to my question in the House of Lords by Lord Henley on February 13. He said:

A joint working group set up in 1985 with the Council of British Service and Ex-Service Organisations agreed that there was a need for a change in these provisions. However, there was no consensus of opinion about what changes should be made to these very longstanding provisions; and it was decided to leave matters as they were.

Why in 1991 must matters stay, so unfairly, as they were?

Yours sincerely,
LENA M. JEGGER,
House of Lords,
March 14.

Budget tip?

From Mr John Parfitt

Sir, My stockbroker tells me he has moved out of his office at Penmiles Porch (in Wells). Does he know something that I do not — and more important, what?

I am, Sir, your obedient servant,
JOHN PARFITT,
St Andrews, New Street,
Paiswick, Gloucestershire,
March 16.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Longer-term prize in local taxation

From the President of the Society of Local Authority Chief Executives

Sir, Recent correspondence in your columns on the community charge (March 14) has inevitably concentrated on the alternative systems of local taxation which might be contemplated. The Society of Local Authority Chief Executives argues that problems of local taxation cannot be resolved independently from an examination of both the financial relationship of local with central government, and of local authorities as democratic bodies with their electorates.

We urge the government to replace the community charge with a new local property tax based on capital valuation with regular compulsory reviews undertaken by local authorities.

The system of government grant must at the same time be reviewed, and we might support a return to specific grants — for example, for defined elements of the education service and the community-care programme — if cast in a modern framework: it is important for local communities to know what services the government is purporting to "buy" with its grants and to distinguish more clearly those local services and decisions for which the local taxpayer is paying.

An important element of the local tax is the business rate. We would like to see it returned to local authorities. The "nationalisation" of the business rate has damaged the relationship with the prime movers of local economies, although we accept that national "capping" of the level or rate of increase would be a legitimate safeguard.

Taxation is not enough to secure proper local accountability. We have proposed therefore that there should be a deliberate period of experiment and evolutionary change in the democratic structures of local councils, and in their internal management, encouraging variety rather than uniformity. The present council and committee system dates

back to the Municipal Corporations Act of 1835.

Experiences elsewhere suggest that there are other and interesting ways of running local authorities, with, in Europe at least, higher voter turnout, and in New Zealand, with universal postal ballot, a transformation of electoral interest.

Getting local taxation right is a present political imperative; the longer-term prize however must be the possibility of revitalising local democracy.

Yours faithfully,
ROGER JEFFERIES, President,
Society of Local Authority Chief Executives,
London Borough of Croydon,
Taberner House, Park Lane,
Croydon, Surrey,
March 14.

From Mr Michael Taplin

Sir, If an additional percentage of salary was collected through PAYE and distributed proportionately to local authorities, according to their existing budget forecasts, the community would benefit from the following facts: PAYE is an existing, acceptable means of tax collection; it is difficult to avoid; no further central administration is required; the most able to pay do so.

Local authorities would disband their collection departments, thus freeing substantial extra funds for the benefit of the community; the local authority accountability remains, as they would still have to balance the books to the satisfaction of the community they serve.

Yours faithfully,
MICHAEL TAPLIN,
1 Crosshouse Road,
Southampton, Hampshire.

From Mr John B. Harris

Sir, Can someone from the Left explain why ability to pay is a sacred principle, whilst means testing is anathema?

Yours faithfully,
JOHN B. HARRIS,
31 Princesdale Road, W11,
March 15.

mother to take responsibility for his/her upbringing.

Yours faithfully,
ASHBOURNE,
ROBERTSON OF OAKRIDGE,
House of Lords,
March 12.

From Mr Brian Warburton

Sir, Your leader of March 13, "Sex, birth and virginity", suggests that logic rather than morality or social conscience may be held to predominate in one's attitude to "virgin birth".

Is it not true that a high proportion of single-parent families turn out to be underprivileged or deprived by comparison with families having two parents?

If logic is to be the guideline, then surely the existence of financial provision for the unborn child is essential. Perhaps it could be arranged that unmarried ladies who desire the dispensation of AID be called upon to put up a bond appropriate to the commitment. This might be provided from personal resources, or else from any charity which supports the activity.

Yours faithfully,
BRIAN WARBURTON,
Thirlestane, Bradford Road,
Sherborne, Dorset,
March 13.

From Mr Martin Reid

Sir, "A startling demonstration of female autonomy and a dramatic rejection of men" (Karen Armstrong's article, March 12) my foot! Do these females imagine that the sperm "just growed" in the test tube?

Yours faithfully,
MARTIN REID,
13 Rother Park, Leslie, Fife,
March 12.

Churchwardens' tenure

From Mr D. B. Bonham

Sir, The Vicar of Ewell (March 12) will perhaps be interested to know that there is now "compulsory retirement" for churchwardens in Wales as the Church in Wales has stipulated that the maximum tenure of office should be six years.

However, the Church, having decided when they should go, like Mr Hanford does not presume to say where.

Yours faithfully,
DAVID BONHAM
(Churchwarden),
Ruthin Mill, Skerfith, Gwent,
March 12.

From Mr John Roemmele

Sir, The Vicar of Ewell dislikes stagnation and the immovability of churchwardens. Unlike the clergy, the tenure of churchwardens de-

pends on their annual election by all parishioners. Moreover, vicars are paid; churchwardens are not.

I hesitate to remain, your obedient servant,
JOHN ROEMMELE,
(Churchwarden),
Apple Tree Cottage, Parsonage Lane,
Icklesham, Winchelsea, East Sussex.

From Dr Peter Willis

Sir, The late Canon David Watson of York used to describe how he visited a church where the member of the congregation who showed him round told him proudly that he had been a warden for many, many years. "My word", said Canon Watson admiringly, "you must have seen some changes in your time". "Yes, indeed", was the reply. "And I've opposed every one".

Yours etc.,
PETER WILLIS,
5 Fenwick Close,
Jesmond, Newcastle upon Tyne.

Evangelism on TV

From the Reverend Eric Shegog

Sir, Anglican services from the evangelical tradition are regularly transmitted by the BBC and the ITV. The preacher often challenges his congregation to come to faith and the viewer or listener caves-dropping may be stirred to respond. But the challenge is directed primarily at the congregation in the church.

On this basis the BBC and the former IBA have transmitted services from previous campaigns by Billy Graham and Luis Palau. That seems to me very right and proper. The ITC is perfectly within its rights under the Broadcasting Act 1990 not to allow religious groups to recruit members via programming on Channels 3 and 4. It has not only the support of the Church of England Communications Committee but

also that of the other major Churches.

Those groups keen to turn British television into an equivalent of American tele-evangelism highlighted by your report today, "Graham faces TV ban", should buy time on a cable channel as Morris Cerullo has recently done. I prefer our services to remain on BBC and ITV where they can attract up to 800,000 viewers and where the Gospel can be proclaimed with passion and commitment. Actively seeking converts is the responsibility of the Churches, not the broadcasters.

Yours faithfully,
E. SHEGOG
(Director of Communications),
General Synod of the Church of England,
Church House,
Great Smith Street, SW1,
March 11.

Bigger burden on small business

From Mr Roger Fox

Sir, It is well known, and not unexpected, that the present recession has forced many smaller firms into receivership. The pressures of higher interest rates, falling demand, and bad debts simply make some businesses unsustainable.

What is less well known is that small firms are also being hit by a "credit crunch", where banks either summarily call in or cut overdraft facilities that had been previously agreed. This latter pressure on small firms is economically disastrous because it ruins what are otherwise thriving businesses which our country needs for future growth and employment opportunities.

Even worse, the political impact of the collapse of small firms, caused by large banks, will deeply damage the enterprise culture which the government has, to its credit, done much to stimulate.

It is to be hoped that the government and the Bank of England will alleviate this credit crunch by requesting the banks to moderate their behaviour before it is too late.

Yours sincerely,
ROGER FOX,
Thames Polytechnic,
School of Social Sciences,
Churchill House, Woolwich Campus,
Wellington Street, Woolwich, SE18,
March 12.

Role of bankers

From Mr Duncan Heenan

Sir, For generations the banker's role was to exercise judgement and steer those with native enterprise in a way which would produce stable long-term businesses, and safe returns. This was largely achieved by a network of branch managers whose experience and local knowledge were not put under undue pressure to produce volume business, as quality of business was paramount.

Since the late 70s this ethos has been largely replaced by a pressure to lead in volume, driven centrally by target-setting and marketing. The policy has been implemented by installing a younger generation of branch managers whose priority is salesmanship rather than judgement and who often survive by moving on before their mistakes catch up with them. Their decisions are heavily influenced by central directives and sector analysis, with scant regard for particular customer circumstances.

The result is that in good times, both individuals and companies are encouraged to over-borrow, over-trade and over-gear. As a result they are more vulnerable in bad times. I believe that this in-built destabilising factor will continue until the banks are liberated from the "salesman".

Yours faithfully,
DUNCAN HEENAN,
Spring Cottage,
21 Gotherington Lane,
Bishop's Cleeve, Cheltenham,
Gloucestershire,
March 6.

Tourism deficit

From the Chairman of the British Tourist Authority and the English Tourist Board

Sir You report (March 7) that Britain's deficit on tourism widened last year to £2.43 billion. This is due to the fact that Britons increased their spending on foreign travel.

We want to see the deficit reduced, but there is no way this can be done these days by introducing artificial barriers. The only solution is the one pursued by the tourist boards: to promote the attractions of Britain in overseas markets and to encourage more Britons to take their holidays at home.

We were highly successful in the first of these tasks last year. The number of overseas visitors reached an all-time record. We will have to try harder this year and this effort will need the full support of the industry as well as the government.

We are tackling the second task with a "Britain's Great" campaign aimed at the domestic market. The secretary of state for employment has provided £800,000 of public money, which I assure you will be well spent. We need equally vigorous support from Wales and Scotland, which so far has not been forthcoming. We also need help from the industry, which stands to reap considerable benefits. There are times when we must pool our efforts in a common cause. This is such a time.

Yours faithfully,
WILLIAM DAVIS, Chairman,
British Tourist Authority and the English Tourist Board,
24 Grosvenor Gardens, SW1,
March 8.

Name variants

From Mr Sebastian Robinson

Sir, Philip Howard's comments (March 8) on the inconsistency of the French over pronunciation of a final "y" are nicely illustrated by the soprano saxophonist Sidney Bechet.

In recognition of his Creole origins, the English call him Be-shay and the Americans, more robustly, B'shay; the French, however, in whose country he spent the final years of his life, are quite sure that his name should be Betch-et.

Yours faithfully,
SEBASTIAN ROBINSON,
22 Athol Gardens, Glasgow,
March 8.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071 782 5046).

The world's top designers are on sparkling form in fashion week. Liz Smith reports

Paris still master of the style universe

Paris has taken a triumphant stride forward this week in staking its position as the world's capital of style. The top designers showing here have proved that, even with the cloud of recession hanging over them, they can supply fashion's silver lining. As well as being imaginative and chic, the clothes seen here do just that, shimmering with the silver, bronze and gold threads that are stitched through every collection.

Karl Lagerfeld's Goldfinger catsuits were merely the warm-up last week for the sparkle seen at every show in lane, brocade and sequins. Even the traditional tweed used at Chanel has acquired the twinkle of sequinned embroidery, and tartan and dog-tooth tweed is woven with gold at Scherrer. Christian Lacroix's metallic gold oilskin coat is out-dazzled only by the gold of his Lurex cable-knit and ribbed sweaters, pulled over black and gold lace body stockings and tights.

The elaborate costume party of the Eighties is over. For the Nineties, simplicity is in. But if Paris designers have their way, they will show the fashion business how to make simplicity hip again.

Leggings and sweaters, stretchy all-in-ones and coats as loose and casual as a duffel are the uniform of the day in every fashion city. Faced with that irrefutable fact, Paris designers are applying their talents to elevating such humble sports clothes to high fashion, as well as showing how more structured jackets can be worn in a relaxed, modern way over skirts of any length, as long as they are slit or slashed at the side.

Brown, worn with violet, red or pink, is the colour of the season. Tunics and short pinafore dresses with belts slung on the hips inevitably recall the crisp, graphic style created by Courrèges and Cardin in the Sixties. But in Paris such retro style is coming up looking better than ever the second time around.

Mr Lagerfeld long ago removed all ladylike pretensions from the classic Chanel suit. For 1992 the Chanel jacket comes in glitter stretch tweed worn over a fish-net body stocking with frayed denim skirt jangling with chains and pearls, plus rainbow feather boa and a jaunty baseball cap. "Who says you can't wear motorbike boots with chiffon or sequins with tweed?" he says. "Those rules don't exist any more."

Christian Lacroix's ready-to-wear line is now made in his atelier in the Faubourg



Claude Montana metal-studded and patchwork black leather jacket

Saint Honoré, and manufactured in France. It shows. After seasons of being produced by the Genny Group in Italy, Lacroix's off-the-peg collection somehow looks more Lacroix with a distinctive Parisian stamp.

The evolution of his baroque style, his love of wild arabesques of decoration and screaming colour, look easy and refined, although never tame. The clean-lined trapeze dresses and tunics, bell-skirted suits and flared jackets worn over leggings have been stripped of his favourite flowers, frills and decorations.

Simplicity can look sumptuous at Lacroix, as when he buttons a shapely jacket over a long skirt in silk faille or chiffon, in delicious colour combinations of narrow plaid over pearly grey, or violet over inky blue.

Claude Montana is a puzzle. His career is on a roll. He has won Paris fashion's coveted Golden Thimble (*Dé d'Or*) award two seasons running for his haute couture collection for Lanvin. He is tipped to take on the Lanvin ready-to-wear collection as well. Yet his own-label line looks stuck in a groove. Montana's impeccable, sculptured cut is as spare and as beautiful as ever.

His asymmetric coats and jackets have new, bony angles, with zips set into seams that look as though they might let rip at any moment into flying panels. The colours — sugar pink and mauve, orange and lime, all fashionable shades of today — look their freshest at Montana. But his line has not moved on — except for a group at the end of his show, where he levelled off his dipping hem-lines and sliced his off-the-collared coats and tunics with belts at the hips.

Jean-Paul Gaultier went back to the Cirque d'Hiver in Paris to show one of his best collections to date, when he brought to life the Montmartre underworld of Toulouse-Lautrec and La Goulue. Even if he had not sprayed red and blue on the haphazardly piled-up top-knots of the models and shown Edwardian laced-up ankle boots with everything, the symbolism of graphic red, white and black stripes in skinny little dresses stretched to mid-calf, waistcoats, tail-coats and ratty fake-fur cuffs and collars on everything made the picture clear. However much he "tarts up" his clothes and turns his show into a spectacle, there is no disguising Gaultier's mastery of cut. The handkerchief-point skirts and jackets made out of fringed, checked mufflers are not exactly a new idea, but Gaultier's are fitted and flared perfectly.

The first week of the Paris show is traditionally for the avant-garde. The top establishment names, Dior, Chanel and Yves Saint Laurent, all show this week. Hubert Givenchy, however, who celebrates the fortieth anniversary of his fashion house with a retrospective exhibition in October, has already shown a reassuringly familiar line of impeccably tailored suits and jersey tunics with skirts.

Nina Ricci's designer of ready-to-wear is an Englishman. Philip Waghorn trained in London at St Martin's and the Royal College of Art, and worked at Dior and Lanvin in Paris before joining Ricci in September 1989. In his latest collection, he experiments with longer hemlines, in accordion-pleated skirts worn under tartan capes, with brown moiré, brocade and gold lamé in a rich mix for evening suits.

Vivienne Westwood is the only English designer who staged a show, in a studio lent to her by Azzedine Alaïa last night. Oscar de la Renta, a star of New York's Seventh Avenue, makes his debut in the Louvre show tent today.



Jean-Paul Gaultier's yellow handkerchief-point jacket, perfectly fitted and flared for the Toulouse-Lautrec look, over red and yellow checked body suit



Chanel updated for the Nineties in stretch tweed and denim



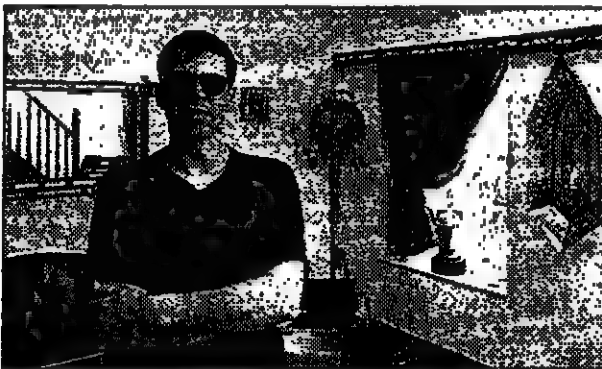
Karl Lagerfeld georgette dress with silver rectangular sequins



Christian Lacroix gold Lurex tunic and lace body stocking

Home is where the art is

As well as admiring Joshua Bowler's flat, his guests can buy or commission its contents from the designer-makers



Mixing with the best: Joshua Bowler in his craft-filled flat

JOSHUA Bowler, a gallery owner once described as "the Lovejoy of interior design", is at home. After five years of running the Crucial Gallery in London's Notting Hill, he has taken over the top floor of an 18th century Soho house with the aim of inspiring homeowners to choose hand-crafted pieces instead of factory-made furniture and furnishings.

During the last recession, a small group of designer-makers set up workshops in old warehouses and used any raw material at hand to create sculptural furniture from "found" objects. But the work now being crafted by the new designer-makers has moved on from this experimental basis, and is as likely to be fabric, papier mâché, wood or glass as it is metal.

Much of the sculptural furniture which emerged from the Eighties was hard to live with. Despite their impressive ingenuity, the link between pieces such as Danny Lane's metal chairs was a user-unfriendliness that often meant they were left sitting in galleries rather than in homes. Mr Bowler is convinced that this had much to do with how and where the pieces were shown. "The way people perceive craftwork in a gallery is totally different from the way they perceive it in a domestic situation. At home, it becomes part of the way you live rather than an intellectual exercise."

"English people do not have eclectic taste by choice, only by circumstance — for example, through inheriting furniture from their family. I'm trying to encourage them to mix contemporary pieces with whatever they've got, whether it's Edwardian, Fifties or Habitat."

"The most frequently overheard comment at Crucial was 'That's wonderful — but I wouldn't know where to put it.' People assume they have to change their rooms to accommodate craftwork. They don't see that a contemporary piece can enhance what already exists, and not look so overpowering that it dominates everything else. They need to learn that it should be treated as a highlight to be admired, rather than something that sticks out like a sore thumb."

The flat in Soho where the work is on show is owned by

William Hobhouse, who opens the Merckmac gallery in Liverpool tomorrow. The apartment has one main living area, as well as kitchen, bathroom and galleried bedroom with spiral staircase leading to a small roof garden, and is filled with all the usual furnishings and clutter — bed, sofa, dressing table, curtains, coffee tables, glasses, backgammon board, mirrors. But each item is specially designed and hand-made.

Certain pieces stand out: Coleman Saunders's acid-etched, Georgian door-style glass screen, Jenny Neame's mirror framed with fluid, fabric-imitating papier mâché, Kathy Dallwood's geometric, forged steel vanity table, and Fred Bevelton's mahogany car-shaped sofa.

Ray McNeil's baronial bed in lined pine, Pat Costelloe's copper-piping side-tables and Sebastian Blakely's leather-with-wood tables and chairs

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Dramatic vision of madness

DANCE
Caroline Mathilde
Royal Danish Ballet
Copenhagen

EVERYTHING that happens in this new ballet by Flemming Flindt and Peter Maxwell Davies is recognisably based on Caroline Mathilde's life story, and the cliché proves justified: the truth is much stranger than fiction. It is a tragedy without villains in which everybody loses. Marrying the sister of George III to her first cousin, Christian VII of Denmark, both in their teens, was meant to improve relations between the two countries. It led to madness, shame, political disaster and her death in exile before she was 24.

Although the queen gives the work its title, the most spectacular role is her husband's. Christian's nature switches continually between charm and debauchery, cunning and craziness. He is a figure of fun as he jumps on his chair at a Cabinet meeting and pokes out his tongue, but ridicule turns to pity as he collapses and writhes in a fit.

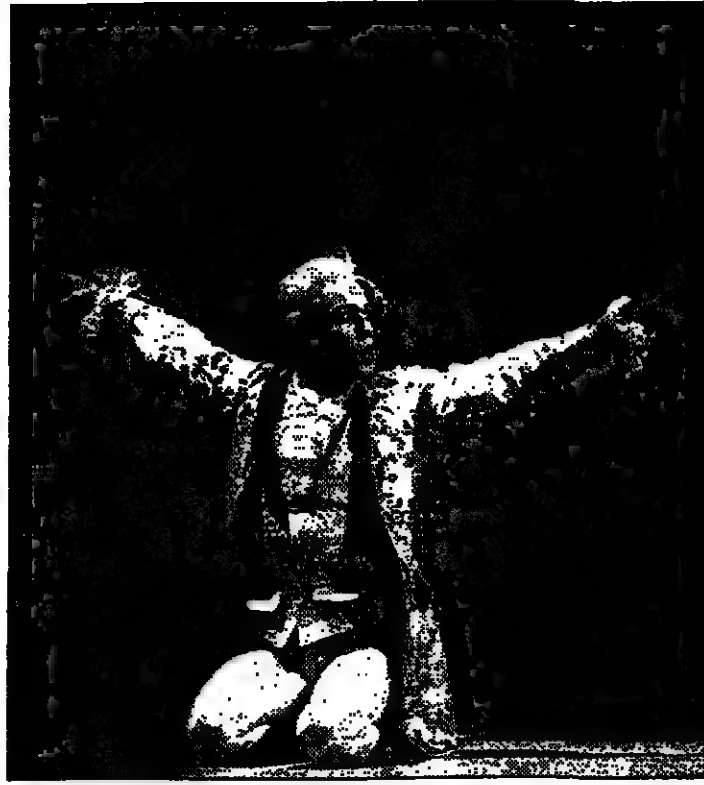
Maxwell Davies's score characterises these dances for a mad king with all the drama of his early music theatre pieces, transmuted by the more extensive development of his later symphonic work. Strong rhythms prevail, from the steady pace of the coach heard bringing Caroline to her new home in the overture, through

to the violent climax of arrest and execution, when the orchestra seems actually to lash the victims.

There are many contrasting moments too, memorably the lifting tune (Scotts rather than English) with which the queen remembers her homeland, and the wordless chorus that grieves over the tragic finale when Christian beheads the statues in his snowy garden and finds one of them transformed into the head of his former friend Struensee. This character provides the third corner of the main dramatic triangle, doctor and adviser to Christian, eventual lover of Caroline. His additional historical role as a virtual dictator is played down in favour of the personal aspects, although a political power struggle continues in the background.

Flindt has made big powerful roles for these three, all played to the hilt. Rose Gad makes a touching figure of the young queen, the pathos all the more telling for the spirit, pride and passion with which she responds to her position in the happier moments. Nikolaj Hübke brings the qualities which rendered Struensee indispensable to both Christian and Caroline, while maintaining a stiff self-possession. As Christian, Alexander Kelpin gives a tremendous performance, establishing the man's appeal through his very defects: the capricious shifts of mood entirely unpredictable but completely convincing.

The simple and imaginative settings by Jens-Jacob Worsaae



Capricious yet convincing: Alexander Kelpin as Christian

enhance the action, and his costumes give an illusion of historical accuracy. At one point decor and choreography merge, as the royal couple celebrate their nuptials by moving among the crowds on six-foot gold pedestals. Characteristically, Christian ends by pushing his bride down into the crowds: to illustrate his nature, much of the

partnering looks violent and dangerous.

The choreographer expects, and gets, an exceptionally high standard of technique from the large cast. All the same, it is as a bold, vivid piece of theatre that *Caroline Mathilde* succeeds.

JOHN PERCIVAL

TELEVISION

Horizon/Cutting Edge
BBC 2/Channel 4

THERE is a kind of inevitability in the Natural History Museum embracing an adapt-or-die survivalism. Last night's *Horizon*, *The Tectonic Time Machine* (BBC 2), refrained from drawing the more obvious Darwinian analogies about the dangers facing huge stick-in-the-mud institutions marooned by a changing economic climate. But there were enough shots of the mighty dinosaur bearing down on the ticket desks in the central hall for it to be obvious that by the time the director Neil Chalmers arrives at his office each day, the words "natural selection" will be uppermost in his mind.

The story was an important one, which has aroused in the world of naturalists passions inadequately reflected in the cool, regretful comments from Jonathan Miller and David Attenborough. Perhaps *Horizon* got to the story late. But what has happened? In order to save money, the museum has slimmed down its scientific research. Its all-important function of taxonomy (classification) has been rationalised, with the effect that some collections, such as fossil birds, will from now on be

merely maintained, not studied.

Meanwhile, fewer and fewer items are being exhibited to the public, because the emphasis now is on show-and-tell customer-friendly exhibitions. It was here, I thought, that the issues were less clear cut. Historic black-and-white shots of the museum's glass-case exhibition halls evoked (for me) some less than affectionate childhood associations of visiting South Kensington, to be bored and tired and oppressed by death. Nowadays, instead of gloomily tracing the dust on a case of dead spiders, the visitor can play "Make Your Own Arachnid" with an interactive video-screen in an exhibition called "Creepy-Crawlies". Far from regretting this, I see it as a step in the right direction.

If *Horizon* was all about bringing creepy-crawlies alive, *Cutting Edge* (Channel 4) must have left most viewers wanting to lay waste the little beings with fire and the sword. Called *A Plague on Your House*, it showed indomitable infestations of cockroaches in London council blocks, and was guaranteed to give even hardened entomologists the screaming shivers. After an hour of watching the blighters swarming malevolently over people's walls, floors and children, I discovered that I had scratched most of the skin from my scalp and arms.

LYNNE TRUSS

CONCERT

LS/Knuussen
Queen Elizabeth Hall

THIS second "Towards the Millennium" concert was a real treat: a programme of pieces from the first decade of the century which unfolded as a long, beautifully planned musical banquet. Variety of size and scope helped the digestion. Stravinsky's rustic quintet *Pastorale* coming between sombre threnodies by Busoni and Schoenberg, and two lives pieces for diverse ensembles being followed by Debussy's most homogeneous score, the diptych of dances for harp and strings. For once, too, the breaks for seating rearrangement became part of the event, putting space around these compelling performances by an enlarged London Sinfonietta under Oliver Knussen.

The evening began with Busoni's *Berceuse élégiaque*, an inspired choice because it offers a key to what the decade 1901-10 was musically about. The personal stimulus for the composition was the death of the composer's mother, but the music's gentle rocking passage through rich, translucent shades suggests wider implications to the fusion of cradle-song with lament: the old world of Wagner is passing under

review, and reflected in this nocturnal water too is the new world of Berg. This is Busoni as the Moses of modern music.

Schoenberg's fate was to be at once the Moses and the Aaron and the Joshua, and it was an excellent piece of programming to end the concert with his Chamber Symphony No 1, where the pressure for change becomes irresistible and yet — by superhuman feats of compositional cunning and, here, of instrumental virtuosity — is just held in check. Knussen geared the speeds up to the brink of nonsensical collapse, if not quite up to the crazy metronome marks.

There was a similar intensity in Ernst Kovacic's constantly thoughtful performance of Bartók's First Violin Concerto: again a rarity, and again a piece which both indulges and dispatches rhapsodic nostalgia. Alfredo Hodge was in splendid voice, selection, time and anguish, for Schoenberg's chamber symphony of the Wood Dove's song from his *Gurrelieder*. And Richard Bernal conducted the glowing strings at the rear of the platform as backdrop for the wild rapture of Ives's *Central Park in the Dark*, given in two versions: one austere, for trumpet and flute, the other more yielding, for cor anglais and woodwind.

PAUL GRIFFITHS

RADIO

Replay
Radio 3

IMAGINE a cartoon by Osbert Lancaster in which, through the frosts of a potted palm, a brace of antediluvian clubmen are seen sagging into leather-buttoned armchairs, each with index finger raised to make a telling point. Now imagine a competition to divine the original caption. "The General and the Admiral Reassess the Great War"? No. "Mr Beje-man and Sir Osbert Discuss the Conservatory"? As Philip French observed when introducing the entertaining *Replay* (Radio 3, Sunday), although the two as-

thes were only in their fifties when their chat was recorded in 1964, their voices came from the age of dinosaurs. The tell-tale pronunciation of "Edwardian" to rhyme with "guardian" can be learnt at any school of speech and drama: rather tricky is the booming, declamatory, plunging intonation which suggests a hunter-charger going over fences.

Now, Lancaster had this High Edwardian delivery in spades, and Sir Harold Acton retains it to this day; middle-class lads like Beje-man and Waugh never acquired it, however many shoulders they rubbed with their social betters. Like a fleet-footed thoroughbred vying with a warhorse, the poet attempted to pit his higher word-rate against the artist's more forceful emphases. Beje-man's

fall-back play was his capacity for breaking effortlessly into verse; Lancaster was perhaps sketching furiously, but this does not work too well on radio.

Squirming beneath their conversation was a courteous though tangible rivalry of connoisseurship, in which "Do you remember?" did service for "I bet you didn't know...". Their references glided and glanced: jointly decrying the modern abomination of picture windows (whereas all sensible people desire to exclude daylight from their rooms) they conjured a certain shade of glass in the Cromwell Road where "the great novelist" might be seen on display; this, according to the preamble, was C.P. Snow.

Just when you thought that Beje-man was set to win by a short

head, he made an unbreakable error at the last fence. "Osbert, you've got a conservatory, as far as I remember, in that delightful garden of yours..." "No a conservatory," Lancaster admonished. "I'm sorry to say it's a greenhouse." Rallying, Beje-man tried again: "And wasn't it Mr Prier who said about your garden that it was just like a London park?" With consummate dignity Lancaster finally revealed himself as a 12-gun battleship: "If I remember rightly, that *unusually* for remark was that one would never know one was in the country, *one might be in London*. And it was not made by Mr Prier, but it was made by *your wife*." "Oh, dear," said the poet.

MARTIN CROPPER

NEW RELEASES

AWAKENINGS (12): Tender, heart-jugging tale of neurologist Robert Williams saving the life of a comatose patient. Oscar (Lancaster) (1971-68) 111.

BLOOD DATH (18): Largely monotonous, studio-bound slog through a Japanese war movie about middle-class Japanese in southern China. With Etsushi Kuroki. Cannon (Lancaster) (1971-68) 111.

COMING OUT (12): Tribulations of a gay teacher in East Berlin; sincere, authentic, though the plot feels like the film's effect. Directed by Helmut Kästner in 1989. Metro (1971-68) 111.

THE ROAD HOME (18): High Hudson's Hollywood, unimpressive problem movie about middle-class Japanese in southern China. With Etsushi Kuroki. Cannon (Lancaster) (1971-68) 111.

AVAILON (12): Engaging personal saga about immigrant experience and post-war building of family life. By film director Barry Levinson. Fox (Lancaster) (1971-68) 111.

BEHLIN JERUSALEM (18): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

CHEST LA VIE (12): Exciting autobiographical exploitation by French director Claude Lelouch. ICA Cinema (1971-68) 111.

CYRANO DE BERGERAC (12): Oscar-nominee Gérard Philipe's masterpiece as the lovelorn, long-haired Cyrano; director Jean-Paul Rappoport's handsome production is a play in magnificent, swashbuckling cinema. Channel Cinema (1971-68) 111.

DANCES WITH WOLVES (12): Kevin Costner as the Civil War frontiersman who leads the Sioux's way of life. Over-reverent, though Costner's performance is brilliant. ICA Cinema (1971-68) 111.

DEATH OF A SALESMAN (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE BATTLE OF ALBUHRAH (12): Intriguing 18th-century heroic tragedy as performed by 18th-century Theatricals. ICA Cinema (1971-68) 111.

CHILDREN OF EDEN (12): Musical musical produced by John Gielgud and Stephen Schwartz. Price (Lancaster) (1971-68) 111.

FIVE GUYS NAMED MARY (12): Marvelous jazz ruse pushed with Louis Jordan numbers. Arcl (Lancaster) (1971-68) 111.

AND STREET (12): Unavailable but deserving a re-release. ICA Cinema (1971-68) 111.

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CINEMA GUIDE

Geoff Brown's assessment of films in London and (where indicated) on release across the country.

Marble Arch (12): (2011) Screen on the Green (1971-68) 111. Whitehall (1971-68) 111.

FEAR (18): Dennis Hopper as the body in pain — a psychic with a gift for seeing brutal murders. For psychological thriller from writer-director Rodman O'Bannon. Cannon (Lancaster) (1971-68) 111.

THE GODFATHER PART II (18): Blood-dripping to Francis Ford Coppola's Mafia saga, hard-nosed sequel but lacking resonance. Al Pacino, Al Pacino. ICA Cinema (1971-68) 111.

GOOSEBUMPS (12): Oscar-nominee Martin Scorsese's dynamic gangster epic following a New York hoodlum's rise and fall. With Robert De Niro, Ray Liotta. Cannon (Lancaster) (1971-68) 111.

GREEN CARD (12): Marriage of convenience becomes unbearable when a woman's husband is killed in a car crash. ICA Cinema (1971-68) 111.

THE GHOSTS (12): Stephen Frears' disjointed version of Jim Thompson's convoluted thriller. John Cusack, Jessica Hahn. ICA Cinema (1971-68) 111.

MILLER'S CROSSING (12): Prohibition gang war from the brothers Coen; brooding, labyrinthine, over-the-top with words and more words. Gabriel Byrne, Albert Finney. Cannon (Lancaster) (1971-68) 111.

ALL IN THE WRONG (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE BATTLE OF ALBUHRAH (12): Intriguing 18th-century heroic tragedy as performed by 18th-century Theatricals. ICA Cinema (1971-68) 111.

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CINEMA GUIDE

MR AND MRS BRIDGE (12): Disquieting portrait of an upper middle-class American marriage, from Evan S. Connell's novel. Jonathan Demme. Fox (Lancaster) (1971-68) 111.

THE NASTY GIRL (12): Provocative, heavy assault on Germany's Nazi past, with Lena Skotcheff as the girl who seduced a German officer. ICA Cinema (1971-68) 111.

PACIFIC HEIGHTS (12): Set in 19th-century San Francisco, this is a thriller, director, John Schlesinger. Cannon (Lancaster) (1971-68) 111.

POSTCARDS FROM THE EDGE (12): Erotic thriller from the pen of a writer, from Charles Frazier's novel. Mary McCormack as the drug-addicted actress. Shirley Maerel as her mother. Director, Mike Nichols. Cannon (Lancaster) (1971-68) 111.

THE RUSSIA HOUSE (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE SHELTERING SHY (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THREE MEN AND A CRIB (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE TRAIL (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE TWELFTH NIGHT (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

UNLAWFUL HOLLAND (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

WHAT THE BUTLER SAW (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

WHITE CHAMBERLAIN (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE REVENANT (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

THE ROCKY HORROR SHOW (12): A chilling, stylized exploitation of the Holocaust; clever or paper, less revealing on the screen. ICA Cinema (1971-68) 111.

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THE KINGS AND I (12): A chilling, stylized exploitation of

FROM DOMINIQUE SEARLE
IN GIBRALTAR


In 1985 after several years of newly-gained democracy, Spain lifted restrictions at the border with Gibraltar and two years later Britain symbolically withdrew the ceremonial guard based at the frontier. Spain was now a Nato ally and a partner in the European Community.



Chanel chic: Karl Lagerfeld's designs for the Chanel Autumn/Winter 1991 Collection, shown in Paris, yesterday: from left, a stretch tweed jacket with contrasting pockets and lapels worn with a short, swingy denim skirt; a black dress worn with a *trompe-l'œil* pearl necklace and a peacock hat; a stretch-elasticated tweed zip-front jacket with stretch-denim skirt, worn with Chanel's signature pearls and chain belt. Design, page 28

FROM CHRISTOPHER WALKER IN CAIRO

A former Iraqi general turned opposition leader said that tens of thousands of Iraqi troops were joining the revolt to topple Saddam and predicted an early end to his rule. Hassan al-Nakib, the leader of the Saudi-based Independent Nationals Group, which is fighting with other opposition parties, said the uprising was continuing throughout Iraq.

A black and white portrait of a man with a full beard and glasses, looking directly at the camera. The image is high-contrast and grainy, typical of a photocopy.

Many Arabs in countries such as Egypt, which backed the anti-Iraq coalition, see the fight for survival now being waged by Saddam and his Baath Party as justification for demands that the United States should have toppled him. "I just cannot understand why the Americans were so soft. We Arabs were prepared to see him finished forever, but they did not like the idea," said Ahmed Kamel, an Egyptian broadcaster.

Continued from page 1

No confirmation of the president's proposed itinerary was available yesterday, especially for the visit to Syria which would be the most controversial item. A senior State Department official said,

Some officials in Washington have been surprised by the president's readiness to risk his reputation so soon upon the issue which has wrecked so many political hopes. "He would not be going unless we thought that there was something he could come out of this," a White House aide commented yesterday.

Mr Bush's decision appears to have been based both on diplomatic and domestic considerations. He feels that there is a genuine new flexibility amongst old regional adversaries but he is also determined to keep up his momentum as a foreign policy president.

his sister: "Brodmaker: I pictured the future scene at a poll tax crimes tribunal. At the Ribble Valley Trials, now frail Brodmaker will claim that it is quite impossible, so long after the event, to conjure up the atmosphere of fear and suspicion in which he had to work under Frau Thatcher. "My client did all in his power," counsel will argue, "to modify the tax." Who will believe that this courteous old gentleman, editor of learned poetry anthologies,

And what of Frau Thatcher herself? Escaped! Alleged Thatcher-sightings will come in from South Korea and the American west coast, and her name will be linked with a pattern of motiveless acid-bath murders across California, and the unexplained strangling of an elderly inmate, "Sir" Geoffrey, in an institution somewhere in the home counties.

But nobody will ever be sure.

Continued from page 1

Dr Shuttlesford said yesterday that tackling the prime minister's voice problem without

considering his health as a whole "might be committing the cardinal sin of dealing with signs and symptoms rather than the underlying condition". Mr Major was a comparatively introverted and insecure man pitchforked from an administrative job in the Standard Chartered Bank to playing a lead role on the world stage. He needed "some sleep, some relaxation, and as well as attending a voice clinic would be well advised to take extra vitamin C, vitamin B and beta-carotene".

A crossword puzzle grid is shown, consisting of a 10x10 square array of cells. Some cells are black, and others are white. Numbers are placed in the top-left corner of the starting squares for each word. The numbers are: 1 (top-left), 2 (top row, second square), 3 (top row, third square), 4 (top row, fourth square), 5 (top row, fifth square), 6 (top row, sixth square), 7 (top row, seventh square), 8 (top row, eighth square), 9 (top row, ninth square), 10 (second row, first square), 11 (second row, fourth square), 12 (third row, first square), 13 (third row, sixth square), 14 (fourth row, first square), 15 (fourth row, third square), 16 (fourth row, fifth square), 17 (fourth row, seventh square), 18 (fourth row, eighth square), 19 (fifth row, first square), 20 (fifth row, fourth square), 21 (fifth row, fifth square), 22 (fifth row, sixth square), 23 (fifth row, seventh square), 24 (fifth row, eighth square), 25 (fifth row, ninth square), 26 (fifth row, tenth square), 27 (sixth row, first square), 28 (sixth row, sixth square), 29 (sixth row, seventh square), 30 (sixth row, eighth square).

A daily safari through the language jungle. Which of the possible definitions is correct?

POMME
a. A sounding weight
b. Semolina stew

BESOGNIO

- a. A beggar
- b. An episcopal blessing
- c. Mollycoddling

A question of place
Answers on page 22, column 1

For the latest AA traffic and route networks information, 24 hours a day, call 0836 401 followed by appropriate code.

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1

[illegible]

Austria Sch	21.95
Belgium Fr	63.10
Canada E	2.20
Denmark Kr	11.71

Hong Kong \$	14.65
Ireland Pt	1.145
Italy Lira	2280
Japan Yen	265
Netherlands Gld	2.00

Sweden Kr	11.20
Switzerland Fr	2.63
Turkey Lira	1.897
USA \$	38

GLASGOW

1.

20.15	Devon & Cornwall	704
68.10	Wills, Glouce, Avon, Soms.	705
2.05	Berks, Bucks, Oxon	706
11.01		

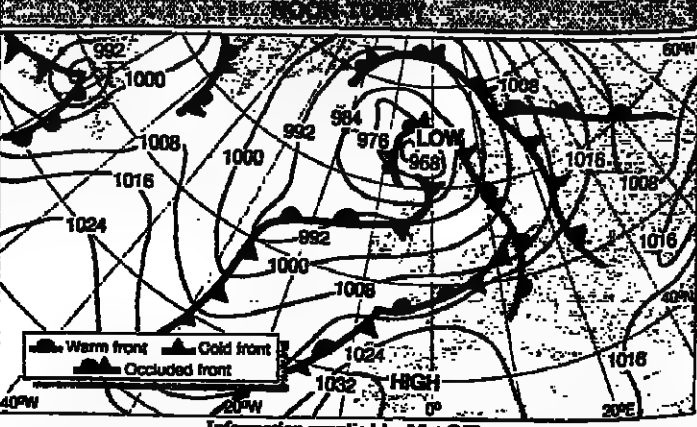
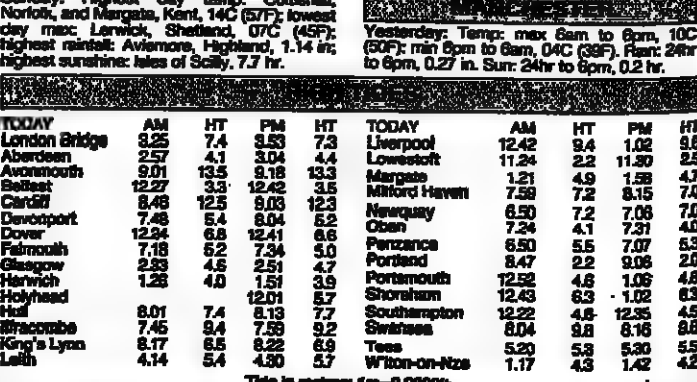
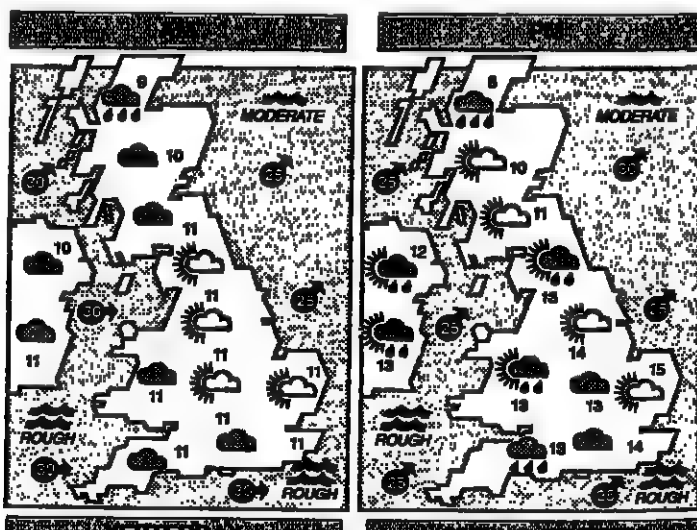
13.65	Central Midlands	711
1.075	East Midlands	712
2140	Lincoln & Humberside	713
248	South & East	714

10.52	NE England.....	718
2.46	Cumbria & Lake District.....	719
1.777	S W Scotland.....	720
26	W Central Scotland.....	721

N W Scotland	725
Caithness, Orkney & Shetland	726
N Ireland	727

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4



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shares in
ADT unit
result

Get hotline

[illegible]

BUSINESS AND FINANCE 25-31
LAW 32-33
SPORT 38-42

BUSINESS

TUESDAY MARCH 19 1991

Business Editor
John Bell

Shares in ADT hit by result

SHARES in ADT, the Bermuda-based security services company, tumbled 10.5p to 102.5p after Michael Ashcroft, the chairman, revealed a fall in pre-tax profits from \$290.4 million to \$257.9 million in 1990.

The fall was despite improvements in both the group's core activities, and was due to the costs of financing other investments.

Mr Ashcroft said the strong trend in the core units was expected to continue, but said that the improvement was "not expected to offset the downward trend in earnings derived from non-operating sources". The group is paying an unchanged dividend equivalent to 18 cents a share.

Times, page 27

Pre-Budget calm

THE equity market experienced one of its quietest trading sessions in two months as investors settled down to wait for the contents of the Chancellor's Budget today.

Share prices drifted throughout most of the day, but fell as expectations of another cut in bank base rates this week. The FT-SE 100 index eased 3.6 points to 2,490.6.

Markets, page 29

Rugby falls

THE Rugby Group says depressed conditions of 1990 have spilled over into 1991, and it is too early to say what impact there will be on this year's interim results. Pre-tax profits in 1990 fell from \$89.8 million to \$66.7 million. The final dividend is held at 3.5p, making an unchanged 6.45p.

Times, page 27

Budget hotline

Today *The Times*, in conjunction with LBC Newstalk 97.3, brings you the Chancellor's speech live from the House of Commons on our special Budget hotline. Simply dial 0559 55 55 55.

Calls cost 33p (cheap rate) 44p (other times) per minute.

US dollar
1.7800 (-0.0410)
German mark
2.9240 (-0.0038)
Exchange index
92.2 (-0.6)

FT 30 Share
1979.2 (-4.3)
FT-SE 100
2490.6 (-3.6)
New York Dow Jones
2931.44 (-16.83)
Tokyo Nikkei Ave
27148.91 (+303.81)

RISER:
Copen 38 1/2p (+10p)
Castle Comm 25 1/2p (+10p)
Sketchley 110 1/2p (+20p)
Ward Group 180 1/2p (+5p)
Searns 87 1/2p (+5p)
Stanley Leisure 143p (+7p)
Zellers Group 121 1/2p (+5p)
HBS & Thompson 340 1/2p (+20p)
BPS 27 1/2p (+15p)
UK Land 175p (+38p)
Sotobay 800p (+12p)

FALLS:
Greenland Whitley 35 1/2p (-8p)
Grand Mill 76 1/2p (-7 1/2p)
Whitbread A 48 1/2p (-14p)
Vaux Group 238 1/2p (-7p)
Standard Chart 377 1/2p (-4p)
Burnham 550p (-10p)
Scott & Newcastle 380 1/2p (-8p)
RMC Group 702 1/2p (-8p)
Allied Lyons 548p (-10p)

Closing Prices...Page 31

London Bank Base: 15%
3-month interbank 12 1/2p-12 1/2p
3-month cable 11 1/2p-11 1/2p
US: Prime Rate 9%
Federal Funds 5 1/4p
3-month Treasury Bills 5.81-5.79%
30-year bonds 9 1/2p-9 1/2p

London: £1.7800
\$1.7800
DM1.5300
Sfr1.4120
FFr1.3620
Yen138.10
Index: 92.2
ECU 16.70258
ECU 16.70258
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Still room for rate cut as pound loses four cents

By COLIN NARBROUGH
ECONOMICS CORRESPONDENT

THE surging dollar forced the pound into retreat yesterday but sterling's position against the politically weakened mark still leaves Norman Lamont, the Chancellor, scope to cut interest rates after the Budget today.

The Bank of England's trade weighted index showed the pound closing at 92.2, its lowest since July 3 last year, and a fall of 0.8 from Friday. This reflected the American currency's renewed climb

against the European currencies.

The pound shed more than 4 cents in London to finish at \$1.79, but held above DM2.9200 most of the day, before closing less than half a penny lower at DM2.9240. Heavy institutional demand for the dollar and conspicuous absence of central bank intervention, allowed the dollar to end at DM1.623 in Frankfurt, a rise of 3 pfennigs since Friday and its best close since July.

Paul Chertkow, chief currency strategist at Citibank, said the dollar/mark battle was the focus of attention, with the pound suffering

on the sidelines.

The money market continued to discount almost a full point cut in base rate from the present 13 per cent. The benchmark three-month interbank lending rate closed at 12 1/2-12 1/4 per cent. France lowered a key interest rate by a quarter point to 9 per cent.

A batch of economic indicators underlined the depth of the recession, while providing what might be the first signs that the economy is stabilising and consumers could soon start to regain confidence.

showed a seasonally adjusted 0.2 per cent rise in volume in the December to February period compared with the previous three months. This followed a November to January fall of 0.6 per cent and 1.1 per cent in the final quarter of last year.

James May, director general of the Retail Consortium, said February was a "depressing" month for retailers. In value terms, sales rose only 4 per cent against February 1990, indicating a 1 per cent volume decline.

"However, with two half per cent interest rate cuts announced by the Chancellor, and the ending of the Gulf war, it is hoped that February may prove to have been the bottoming out of the retail sales trend," he said.

Central Statistical Office estimates showed the trend decline in manufacturing output was an annual 8 per cent in February, unchanged from January, halting the steady acceleration since last April.

Neil MacKinnon, chief economist at Yamaichi Securities, said this could mean that industry is

starting to reach the bottom of the recession. Signs of labour costs starting to ease, with the annual rise in unit wage costs in manufacturing slowing to 10.7 per cent in January from 11.9 per cent in December, was welcome news for the government and industry.

A surplus of £720 million in February took the cumulative public sector debt repayment after 11 months of the current fiscal year to £3.6 billion.

Comment, page 27

Otto matches Sears' £165m bid for Grattan

By ANGELA MACKAY

OTTO Versand, the family-owned German mail order group, appears set to defeat Sears in the battle for Grattan, Britain's fourth-largest mail order company, owned by Next.

Otto raised its offer £14 million to £165 million, matching the revised Sears

bid made on Sunday. Next's board repeated its preference for Otto's offer over Sears', adding that it would recommend the German bid to Next's shareholders at an extraordinary general meeting on Friday.

Sears retired from the competition after Geoffrey Maitland Smith, the chairman, said the company would not

raise its offer beyond £165 million.

He said: "Our offer is still in place, but since Otto has matched it and the Next board are set on recommending the German offer, it is unlikely that Next shareholders will vote against their board's wishes. I am very disappointed."

Lazard Brothers, Next's adviser, said Next was receiving £25 million more than originally planned and that the company had already talked to several large shareholders who appeared happy to accept the Otto bid.

A spokesman for Otto, Next's biggest shareholder with 9.9 per cent, said he was "extremely optimistic" about success, but pointed out the last word remained with Next's shareholders.

Recommending Otto's offer, Next said: "It remains the board's view that Otto's proposals are substantially superior on qualitative grounds, compared with those of Sears, and, in addition, are more likely to protect the interests of Grattan's employees."

Next had been concerned that Sears could not give assurances that the purchase would not result in redundancies when Sears merged Grattan with Freemans, its own mail order business.

Another issue was the continued supply of services to Next Directory, which is not part of the Grattan sale, if Sears, "a direct competitor", purchased the subsidiary. Otto has agreed to a four-year distribution contract with Next.

Mr Maitland Smith was not worried about the possibility of Otto entering the British market. "Through Freemans, we are the third-biggest mail order company in Britain and certainly the most efficient. We will continue to develop the business and build on our market share of 15 per cent."

If shareholders reject the board's advice, another meeting will be held on March 26 to vote on Sears' proposal.

Comment, page 27

French launch £49m hostile Empire bid

By WOLFGANG MÜNCHAU, EUROPEAN BUSINESS CORRESPONDENT

REDOUTE Catalogue, the French mail order company, has launched a £49 million hostile bid for Empire Stores, highlighting the growing interest of continental firms in establishing a hold on the British mail order market.

Empire's board will this morning announce its rejection of the Redoute bid on the grounds that it undervalues the company.

Empire Stores became the second British mail order company during the last few weeks to have received an offer from a continental company.

Empire, the smallest of the large British mail order groups, is based in Bradford, Yorkshire, employs 3,000 staff and accounts for about 7 per cent of the British market. The company has been badly hit by the slump in retail sales. Pre-tax profits fell to £174,000 in the year to end-April 1990, down from £6.15 million.

The French offer is for 125p in cash for each Empire share. The bid has been declared as final from the outset to avoid a bidding war. After an announcement yesterday morning, Empire's shares rose from 95p to close at 122p.

Redoute Catalogue is a subsidiary of La Redoute Group, which is 54 per cent owned by Au Printemps, the famous French department store group. Redoute Catalogue was already the largest shareholder in Empire Stores

before the bid with a stake of 26 per cent.

On Friday, Redoute Catalogue agreed to buy a 12 per cent stake in Empire owned by Great Universal Stores (GUS), Britain's largest mail order group.

As a result, Redoute raised its total to 38 per cent, a level from which it was forced to make a bid under the takeover rules. GUS's stake was a remnant of its bid for Empire in 1982 which was blocked by the Monopolies and Mergers Commission.

In a statement, Redoute Catalogue said that recent developments showed that the British mail order market was becoming more competitive and that Empire could not survive as an independent company. "With La Redoute Group's full financial and technical backing, Empire Stores would have a better chance of surviving and prospering," it said.

If the bid succeeds, Empire Stores' history might turn a full European circle. The company was founded as a jewellery store in 1831 by Antonio Fantocci, an Italian immigrant.

At present, Geos, an Italian mail order group, is one of the company's largest shareholders with a 24 per cent stake. Geos has not yet responded to the bid but analysts do not rule out the possibility of an Italian counterbid.

Recession holds Beazer to £43m

By MARTIN WALLER

THE economic recession in Britain and America, Beazer's two main markets, held pre-tax profits back to £43.2 million at the diversified construction and building materials group for the half-year to end-December, down from £63.0 million last time.

The interim dividend is maintained at 2.7p.

Beazer saw the number of homes built in its first half fall slightly and is on course to

complete 5,000 in the full year. That would place it in third or fourth place among housebuilders, said John Matthews, the deputy chairman.

He said: "It's getting better slowly but it won't really pick up now until there are further cuts in interest rates of at least 1 per cent."

In America, where it has a 6.5 per cent share of the crushed stone market, Beazer is pinning its hopes on rising public spending on roads, with

the Federal highway programme budgeted to rise by 19 per cent this year.

The American market saw a sudden downturn last July, Beazer said, but Pacific rim markets remained good.

Brian Beazer, the chairman, said the group expected the British and American economies to start to grow in the second half of 1991. Prospects were encouraging.

Times, page 27

Battle of the Clyde ends in tears

By MATTHEW BOND

ABOUT a decade ago, Clydeside was a battlefield. The decline of the shipbuilding industry had forced cash-strapped shipyard owners to take on what was probably the toughest workforce in Europe. Both sides lost.

There were no winners either yesterday, as the longest running and most expensive legal battle on the Clyde ended.

The dispute dates back to March 1984, when British Shipbuilders, the yard's owner, sold it to Trafalgar House for £12 million. Yesterday, BS agreed to pay Trafalgar House £2.5 million compensation for what Trafalgar alleged was misrepresentation at the time of the sale.

However, no celebrations were being planned at Trafalgar's Piccadilly headquarters in London. Sir Eric Parker, the chief executive, said: "Both parties think they have done a bad deal. So it must be

about right." But Christopher Campbell, the BS chairman, said: "I think it is a satisfactory outcome, particularly if you bear in mind the size of the claim."

When the writ was issued almost three years ago, Trafalgar was seeking compensation of £190 million. Sir Eric said the company had decided to settle after legal advice that the dispute could drag on until 1997, could cost up to £40 million in litigation fees and would take up more and more top level management time. He pointed out that Trafalgar had already spent about £11 million on legal fees in the dispute.

At the heart of the dispute is Scott Lithgow's last big contract, a £88 million order from Britoil for a semi-submersible drilling rig, Ocean Alliance. The contract, won while BS owned the yard, was the reason Trafalgar bought Scott Lithgow.

Britoil had cancelled the rig contract

three months before the yard was sold, claiming that construction - allegedly 30 per cent complete - was seriously behind schedule. The contract was reinstated when Trafalgar indicated it could be completed on time. The rig was launched in April 1988, four years behind schedule and tens of millions of pounds over budget. By the time the writ was issued in 1988, Trafalgar had made total provisions of £111 million. BS's provisions of £30 million covers £8 million already spent on legal expenses, the £17 million cash element of the compensation package. A further £8 million comes through the assignment of a loan from the time of the yard's purchase.

The legal battle may be over, but at Scott Lithgow there is little cause for celebration. The yard, now run on a care and maintenance basis, employs 40-50 people compared with the 4,000 employed when Trafalgar took over.

Peace prizes, page 27



Fashioning a leaner Tootal: David Williams, finance director, left, John Craven, chairman, and Tony Habgood yesterday

Kuwaiti rebuilding contracts 'limited'

By PHILIP BASSETT
INDUSTRIAL EDITOR

KUWAIT is unlikely to need to borrow much, if any, foreign money to carry out its post-war reconstruction because the damage to the country is less than had been feared, British businessmen have been told.

The more limited range of opportunities for British and other companies to take part in the reconstruction was spelt out yesterday at a conference in London on Kuwait's recovery after the war.

David Douglas Home, a member of the British Kuwaiti taskforce and a director of Morgan Grenfell, told 120 businessmen: "There is still an opportunity but not so much as we anticipated."

The mess in Kuwait City - "defies description", he said. Kuwait had overseas assets of \$50 billion, which would enable it to pay for what was required.

The taskforce to help British companies win contracts for the rebuilding of Kuwait City today move into Kuwait City from Saudi Arabia and the British embassy will begin setting up facilities to help British firms win contracts.

Taskforce speakers at the conference said there would be less work to do than had been thought - especially in civil engineering, where the opportunities were "negligible".

Ghazi Al-Rayes, Kuwaiti ambassador in London, forecast that reconstruction work might last between five and ten years. He said Kuwait would consider only competitive bids and competition would be on the basis of price, quality and time.

Tootal forecasts £23m

By MICHAEL TATE, CITY EDITOR

TONY Habgood, new chief executive of Tootal, said the unwanted £194 million takeover bid from Coats Viyella was "far too little, and too late". He spelt out changes at Tootal that would improve profitability by more than £10 million this year.

Mr Habgood, whose predecessor, Geoffrey Maddrell, picked up a £390,000 pay-off when he left in January, was presenting the group's formal defence document, together with preliminary results for the year to January 31.

As expected, the results showed a sharp decline in pre-tax profits, from £35.7 million to £23.2 million, and the group is having to raise its

reserves to finance a maintained 4.95p a share dividend. Earnings per share more than halved from 8.53p to 4.18p.

Tootal has also written off more than £23 million in respect of closures and withdrawals, mostly since the new management team was installed. They are mitigated by a £7.4 million profit on the remainder of the group's stake in Da Gama, leaving a net extraordinary charge of £15.6 million.

Group borrowings went from £66 million to £80 million, raising gearing from 34.9 per cent to 51.6 per cent.

Mr Habgood said that capital expenditure would be restricted to the level of depreciation over

the next two years. Sir David Alliance, chairman of Coats, which has offered 65p in cash for each Tootal share, described the results as "dreadful" and had "serious doubts about the value of Tootal".

Mr Habgood said Tootal had already acted to eliminate losses of some £7 million. Further improvements in profitability are expected after the decision to concentrate on just three core business areas, thread, fashion products and specialised materials, and measures to reduce the 44.3 per cent tax bill.

In the stock market Tootal shares sank to 74p.

Comment, page 27

CABLES · CIRCUIT PROTECTION

ENGINEERING · INDUSTRIAL SERVICES

DELTA

"...it is a measure of Delta's strength, resilience and management that in difficult conditions, the results were close to last year's record levels."

EXTRACT FROM CHAIRMAN'S REPORT

	1990	1989
	£m	
Turnover	793.6	840.2
Operating profit	78.6	76.2
Profit before tax	87.5	89.3
Earnings per share	36.0p	36.6p
Ordinary dividend	14.0p	13.2p

Copies of the Annual Report & Accounts for the year ended 29th December 1990, from which these highlights are extracted, are available from 26th March from the Secretary, Delta plc, 1 Kingsway, London WC2B 6XF. Telephone 071-836 3535.

Profits fall at IMI and Delta for first time in nine years

By MARTIN BARROW

TWO of Britain's biggest engineering companies have suffered their first profit setbacks since 1982 and given warning that conditions had deteriorated further in the opening weeks of the current year.

IMI, the Midlands engineer chaired by Sir Eric Pountney, reported profits down £10 million to £115.1 million on turnover reduced by £50 million to £1.03 billion. Earnings slipped from 25.2p a share to 23p.

The total dividend is lifted from 9.5p a share to 10p, but the final payment, increased only marginally from 5.7p to 5.8p, reflects the sharp downturn during the final three months. Sir Eric confirmed that last year's record first-half profits of £63.5 million would not be repeated this year.

Three operating divisions, building products, fluid power

and refined metals, returned lower earnings, which were only partly offset by advances in drink dispensing and special engineering, the division that includes the newly acquired Birmingham Mint.

The recessionary impact was greatest in Britain, which still accounts for 44 per cent of sales despite acquisitions overseas, and America, although the downturn was cushioned by the resilience of economies in continental Europe, particularly in Germany. IMI responded to the domestic downturn by closing unprofitable businesses, including the rolled metals division in Birmingham, reducing the workforce by 650 and charging £10.6 million as an extraordinary item in respect of closures and redundancy payments.

Despite the setback, IMI is

planning capital expenditure of £60 million in 1991, about 60 per cent of which will be spent in Britain, including a £10 million copper tube mill at Kirkby, Merseyside.

Delta, reporting pre-tax profits down from £89.34 million to £87.52 million, described the current trading climate as the toughest in a decade and said that the first half of the current year had become more difficult than the final six months of 1990. The total dividend, however, is lifted from 13.2p a share to 14p, with a 9.8p final, payable from earnings down from 13.6p to 13p.

Operating profits actually rose from £76.16 million to £78.55 million on reduced turnover of £793.6 million, against £840.15 million. Cables, Delta's largest business, increased profits by almost £3 million to £31.2 million, while circuit production returned profits up from £16.9 million to £17.5 million. Setbacks were suffered by engineering, down from £20.8 million to just under £20 million, and industrial services, down from £27.7 million to £24.10 million.

British profits were maintained at £51.9 million and European earnings rose from £4 million to £7.75 million. North America fell from £15.65 million to £14.02 million and Australasia from £15.65 million to £14.02 million. Africa declined by about £3 million to £14.15 million.



No plans to change direction: Sir Derek Birkin

RTZ names Birkin as successor to Frame

SIR Derek Birkin, currently chief executive and deputy chairman of RTZ, is to become chairman on June 1 in succession to Sir Alistair Frame.

Sir Derek's position as chief executive will be assumed by Robert Wilson, director of mining and metals. Ian Strachan, the present finance director, will become deputy chief executive.

Sir Derek will be a full-time chairman of RTZ. His other City directorships, non-executive, include Barclays Bank, British Steel and George Wimpey. Sir Derek said RTZ had always believed in the principle and the practice of two people in the two top positions and that there would be no change or shift of policy at RTZ when he took over as

chairman. "We have a strategy in place, and have no plans to change direction," he said.

A new finance director will be appointed shortly.



Wilson: stepping up

Baltic hit by £2.5m write-off on ILG

By NEIL DENNETT
BANKING CORRESPONDENT

BALTIC, the leasing and property finance group, has been forced to write off a loan of more than £2.5 million to ILG, the collapsed holiday and airline group.

The bad debt is part of a £4.94 million extraordinary write-off in the group's figures for 1990.

Pre-tax profits fell 19 per cent to £12 million due to a slump in the value of Baltic's property portfolio, although the company held its full-year dividend to 4.13p.

Harry Hyman, the finance director, said Baltic had decided to close its investment business, which ran a £10 million venture capital fund.

Baltic has been forced to write off all the loss-making investments in the fund, of which ILG is the largest.

The fund has made a substantial profit, in contrast, on Abrust, the fund manager, which is being floated on the stock market this spring. Baltic has arranged to sell its 7.5 per cent stake in the company.

The loan to ILG was structured as mezzanine debt with share warrants. The loan has been fully provided for and is the largest part of the £4.9 million provision.

Pre-tax profits were hit by a £1.81 million provision against land held by Baltic in several property joint ventures.

Baltic decided to withdraw temporarily from the property market in 1990 and sold its last development in Trafford Park, Manchester, in March, but had continued the joint ventures.

The group's difficulties in investments and property were eased by a strong performance in the asset finance division, where pre-interest profits rose 48 per cent to £27 million.

This was despite a substantial increase in bad debt provisions, said Mr Hyman. Profits benefited from a 14 per cent increase in Baltic's lending book to £220 million. Mr Hyman said that commissions in the lease broking subsidiary had also improved, since the recession had made it more difficult for Baltic's clients to raise finance.

BUSINESS ROUNDUP CAA in decision day talks with Air Europe

ADMINISTRATORS to International Leisure Group have been unable to find a buyer for Air Europe, the company's grounded airline, before a Civil Aviation Authority deadline. Talks this afternoon to discuss its air operating certificate. Talks this afternoon to discuss its air operating certificate. Talks this afternoon to discuss its air operating certificate.

The only positive matter to be discussed with the CAA is a proposal for a management-led consortium offer for Air Europe Express, the short-haul and night-time freight carrier to Antwerp, Rotterdam, Gothenburg and Brussels. The bid is being led by Brad Burgess of Air Europe Express, which is making the offer through Euroworld Express.

Alliance Trust lifts payout Astec result falls 29.8%

THE fall in the world's equity markets last year caused the net asset value of Alliance Trust, one of Britain's largest investment trusts, to fall 9 per cent to £12.39 a share in the year to end-December. Despite this, the trust increased its final dividend by 2p a share to 27p, to make 40p for the year, up 14 per cent. Alliance's revenue grew 14 per cent to £29 million.

ASTEC, the power conversion equipment supplier, has reported a 29.8 per cent drop in pre-tax profits to £4 million from £5.7 million for the year to end-December. Turnover on continuing activities was 4 per cent higher at £283.4 million. The final dividend is being passed, making a total payout for the year of 0.7p, compared with 3.05p in 1989.

J Fisher figures drop

DIFFICULT trading at its two ports, at Heysham and Newhaven, clipped profits at James Fisher and Sons, the shipping group, in the year to end-December, the pre-tax figure falling from £4.23 million to £3.63 million. None the less the company is raising the dividend for the year, a 3.5p final making a total 0.5p higher at 5.5p.

Prolonged severe weather in the first quarter of 1990 had also affected operations.

Hickson falls 28% to £26m

PRE-TAX profits at Hickson International, the chemicals and timber protection group, slid 28 per cent last year from £37.1 million to £26.7 million on turnover of £408.4 million. The total dividend is held at 8p for the year, though the final dividend is trimmed from 5.4p to 5.15p. Net earnings were 16.76p a share, compared with 23.87p a share earned in 1989.

Sketchley shares jump

SHARES in Sketchley, the dry cleaning firm, jumped 20p to 111p as the group said it was close to selling its vending machines division to its management for its net asset value, or £4.5 million. Any deal would be put to shareholders and the proceeds go to reducing the estimated £30 million of group borrowings. Sketchley would retain its existing book of machine lease contracts.

Clyde income surges

CLYDE Petroleum, the independent oil company, increased net income from £3.1 million to £13 million in 1990, reflecting higher oil prices, and earnings from 1.6p a share to 4.1p. The company also netted extraordinary income of £1.2 million from the disposal of producing assets in Ecuador. A final dividend of 0.75p a share makes a total of 1.25p, against 1.15p.

Edinburgh Oil and Gas, the UK's largest onshore acreage holder, earned net income of £64,000 in 1990, compared with losses of £52,000 in 1989. Earnings were 0.43p a share, against a 0.39p loss. There is again no dividend.

Fayeds ask High Court to block Lonrho action

By OUR CITY STAFF

THE Fayeds brothers, owners of the House of Fraser and its flagship store, Harrods, have asked the High Court to block the latest legal action in the long-running campaign against them by Tiny Rowland's Lonrho.

Mr Justice Millett is being asked to strike out an action begun in October 1990 in which Lonrho claims the sale in November 1984 of its 29.9 per cent stake in House of Fraser to the Fayeds was procured by deceit.

Six years ago, the brothers

made a successful takeover bid for the stores group that led to years of legal wrangling with Lonrho. A separate bid by the Fayeds to strike out a 1987 Lonrho action alleging conspiracy to injure and unlawful interference with business is due to be heard by the House of Lords next month.

A subsequent legal move by Lonrho, seeking to review the decision not to refer the Fayed takeover to the Monopolies and Mergers Commission and seeking publication of the Department of Trade and Industry report on the take-

over also reached the Lords. The Lonrho action, now under attack, seeks rescission of the sale of the 29.9 per cent holding, or damages and a declaration that Lonrho is entitled to the benefit of a constructive trust over the whole shareholding in House of Fraser.

Last week, the Fayeds sold nearly 1 million Lonrho shares at about 245p each. The brothers appeared to hold the small stake because it gave their representatives the right to ask questions at Lonrho's annual meeting. Lonrho, however, succeeded in freezing the voting rights on the shares.

Scottish power 'faces constraints'

By MARTIN WALLER

THE long-term success of the two power companies north of the border, Scottish Hydro-Electric and ScottishPower, will depend heavily on their performance in England and Wales, according to the most up-to-date research published in the run-up to the May flotation.

More than half their generating capacity will be surplus and available to sell into the competitive market for electricity in England and Wales, says Smith New Court, which acts as broker to Scottish Hydro-Electric. They are also already involved in independent power generation projects south of the border.

But one constraint on their future profits performance will be the heavy borrowings the government is loading on to the two.

Potentially heavy environmental costs and the need to fund independent generation will push gearing to a peak of 60 to 80 per cent in the mid-Nineties, says Alistair Buchanan, SNC's electricity analyst.

The two are also locked into uneconomic contracts to buy coal at fixed prices for five years, two years longer than their counterparts in England and Wales, and this could hamper competitiveness.

COMPANY BRIEFS

COLOGRAPHIC (Fin)
Pre-tax: £2.01m (£3.77m)
EPS: 9.09p (16.92p)
Div: 4.00p, mkg 6.80p

BPP HOLDINGS (Fin)
Pre-tax: £5.2m (£3.2m)
EPS: 18.2p (13.5p)
Div: 4p, mkg 8.3p

ESSEX FURNITURE (Int)
Pre-tax: £0.32m (£0.28m)
EPS: 2.32p (2.28p)
Div: 1p (1p)

CANDOVER INVEST (Fin)
Pre-tax: £3.7m (£2.99m)
EPS: 9.83p (8.75p)
Div: 5.5p, mkg 8.5p

CARBO (Fin)
Pre-tax: £4.74m (£4.55m)
EPS: 20.8p (20.1p)
Div: 4.4p, mkg 7.2p

SEAUFORD (Fin)
Pre-tax: £4.54m (£2.98m)
EPS: 16p (17.2p)
Div: 4.22p, mkg 6.07p

HOLDERS TECH (Fin)
Pre-tax: £0.38m (£0.3m)
EPS: 8.5p (6.7p)
Div: 4p, mkg 6p

METALRAX GRP (Fin)
Pre-tax: £7.13m (£7.08m)
EPS: 8p (8p)
Div: 2.84p, mkg 3.84p

LDANIELS (Fin)
Pre-tax: £0.07m loss
EPS: 1p loss (5.5p loss)
Div: nil, mkg 1.25p

THE EX-LANDS (Int)
Pre-tax: £0.019m
EPS: 0.04p (0.74p loss)
Div: nil (nil)

LAWTEX (Int)
Pre-tax: £0.84m loss
EPS: 15.7p loss
Div: nil (0.5p)

DELANEY GROUP (Fin)
Pre-tax: £0.83m loss
EPS: 2.4p loss (0.9p)
Div: nil (1.5p)

HONEYBUCKLE GRP (Int)
Pre-tax: £0.24m (£0.23m)
EPS: 1.5p (2.4p)
Div: nil (nil)

Total payout compares with 6.7p last time. Company says stronger balance sheet means it is well placed for recovery.

Total dividend of 5.25p last year. Turnover up 74 per cent to £286.7 million. Acquisition and organic growth to continue.

Board views future with "cautious optimism" in light of falling interest rates. New stores planned for this year.

Total payout compares with 7p for 1988. Net assets fell by 3 per cent to 217p against 15 per cent fall in FT All Share Index.

Total dividend compares with 6.5p last time. Year and gearing is 45 per cent with interest bill covered 6.2 times.

Total dividend is a 10 per cent increase on last year's 5.5p. Interest charge increased to £2 million.

Total dividend unchanged on last year. Results include 10 month contribution from Dutch subsidiary. Turnover up 27 per cent to £3.7m.

Total dividend compares with 3.45p last year. There is a one for ten bonus issue for the 22nd year running.

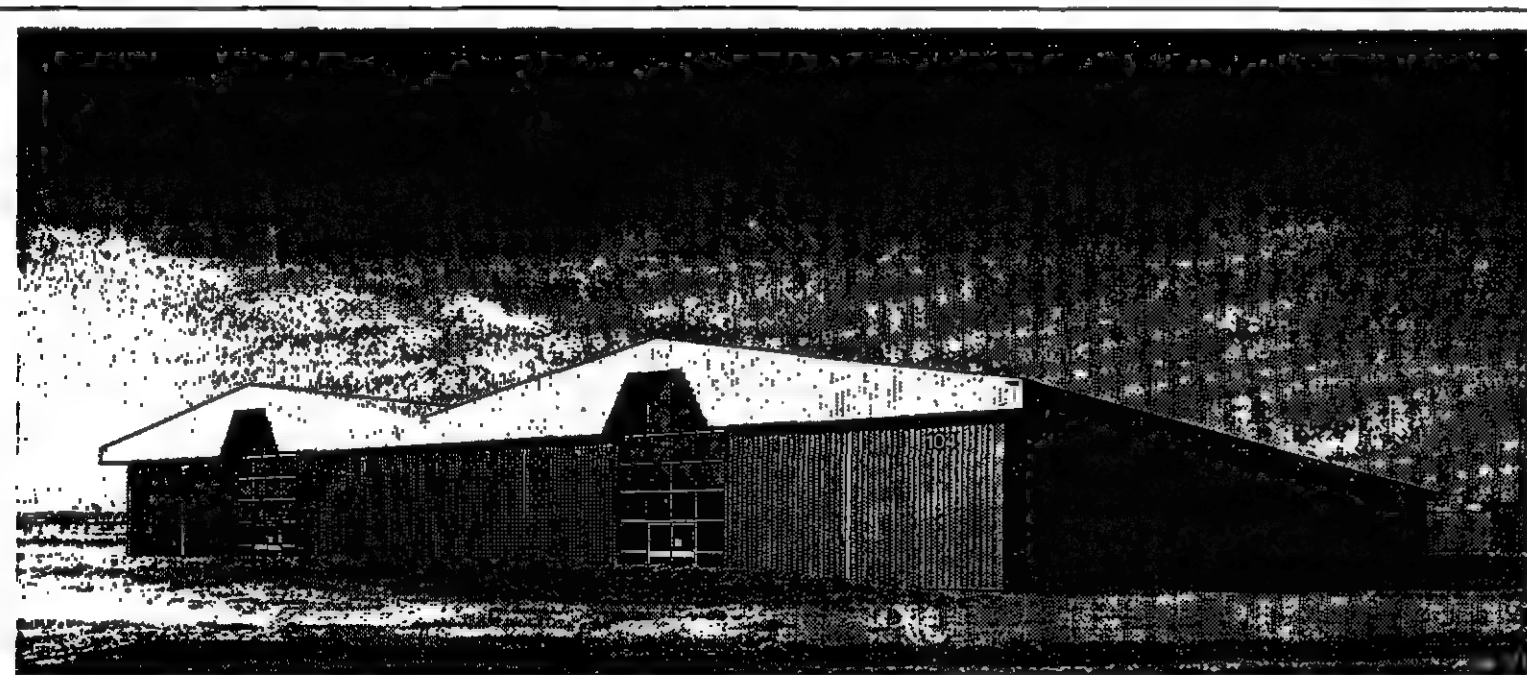
Losses reduced from £0.42 million in 1989. Total dividend halved from the 2.5p payout in 1989. Extraordinary £0.46m closure cost.

Turnover for the half year up to £724,000 against £708,000 in 1989. £7 million in cash and facilities available to invest.

Pre-tax loss increased from £0.08m. Loss per share was 2.2p in 1989. Adverse factors continuing in 1991, company says.

Pre-tax loss compares with pre-tax profit of £0.19m last year. Bad debts sent expected second half profit into loss.

All divisions were profitable during the period. Turnover down marginally at £10.5m. Chairman says future "encouraging".



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Mail order faces a Euro challenge

COMMENT

The British mail order business has come full circle. Grattan and Empire stores were founded by different parts of the Fattorini family, which had settled in Britain from Italy. Yesterday it looked certain that both Grattan and Empire would be back in continental European hands before too long.

Otto Versand, the German mail order company, increased its offer for Grattan to match Sears' bid at £165 million and has the blessing of the Next board. Sears has indicated that it will not go above this level. Redoute Catalogue, the French group, in an effort to avoid a Grattan-style auction, made a £49 million bid for Empire Stores.

Redoute's bid was triggered in part by Otto's offer for Grattan. The French company realised it either had to compete with Otto head-on or get out. It could no longer sit with a 26 per cent stake in a dwindling business. Both Otto and Redoute are likely to give the British mail order market a much needed shake-up.

The British groups do not come out of the mail order wars with any honours. Collectively

they have allowed one of the largest mail order markets in Europe to become the sick old lady of the retail sector.

Individually they have fared little better. Next's board may have struck a good bargain but shareholders have benefited by default. Next was originally prepared to sell Grattan to Otto for £140 million. Shareholders have Sears to thank for the £25 million extra.

Sears now looks in a difficult position. It will almost certainly lose the auction when Next's shareholders vote on Friday. This leaves it with Freemans, which has about 14 per cent of the market for which it paid £477 million in 1988. It may now be thinking of selling Freemans or possibly buying Littlewoods' mail order business, which is bigger than Grattan but does not have such sophisticated distribution systems.

Great Universal Stores, the largest mail order business in

Britain with about 37 per cent, will have to hold its own in a more aggressive market and one in which both Otto and Redoute may invest heavily. Littlewoods, with about 24 per cent, is up for sale and may lead to a third Continental firm, perhaps Quelle or Neckermann from Germany, entering the market.

Tough Tootal

Tootal's defence document describes the 65p cash bid from Coats Viegas as too little, too late. On the first point, few would disagree. On the second there remains considerable room for doubt.

What is certain is that a re-emergent Tootal is in the mood for a bruising fight. The new management, all steeped in

Tootal tradition and determined to battle for independence, is already demonstrating a capacity for clear thinking and swift action that has not been apparent at boardroom level for some years.

The tragedy is that the new team must fight this battle with its right hand still tethered by its predecessors' agreement, less than two years ago, that a merger between the two companies was the equivalent of the textile industry's dream ticket.

Whether shareholders accept Tootal's case that the industrial logic is fast unravelling — and that anyway Coats is now offering a low price for a recovering business, rather than a good one for a recession-bound company — may well weigh less heavily than their protestations that they have heard the Tootal promises before.

Why has it taken so long for Tootal, a company under imminent takeover threat almost daily since Abe Goldberg built up his stake in the mid-1980s, to act? It is a point on which shareholders may well want to press John Craven, Tootal's merchant banker chairman, and signatory to the 1989 agreement with Coats, further.

The question surely is not whether Coats, with almost a third of the Tootal equity in its pocket, has left it too late, but rather whether Tootal has.

Pound plot

Norman Lamont would not have prayed for a weak pound the night before his Budget. Yesterday's drop of 1 per cent in sterling's trade-weighted value of sterling was, however, strictly a sub-plot in the main story of the dollar's mighty recovery against the mark.

Corporate investors seem to have decided this is the moment to allow for a higher dollar in their commercial calculations. Britain wants the dollar up and with it the sterling value of oil, dollar-denominated exports such as aircraft and profits of British companies with American interests.

The disturbing element was that, unusually, sterling fell against the mark in this process. This is not too surprising. The market anticipates a further full-point fall in sterling interest rates by the end of the month, with half a point probably coming today.

The Bundesbank, meanwhile, wants a weak dollar to help cool the German economy and may well signal, before Mr Lamont stands up this afternoon, that it is happy to see German market interest rates rise to defend the mark.

This should reinforce Treasury caution rather than cause any panic. Sterling is not really in the ERM danger zone, while the balance of payments, public finances and inflation all suddenly look better than seemed likely earlier this year.

Beazer builds on revival hope

TEMPUS

BEAZER believes house-building in Britain and roadbuilding in America will lead the construction industry out of the recession. This revival will not, however, take place until the third quarter of this year, the company says.

It had better be right. By its June 31 financial year-end, Beazer will have borrowings of £770 million with about 75 per cent gearing. It will also have seen a £30 million net cash outflow despite £80 million of asset sales.

The shares were unchanged at 151p yesterday. Even though half-way figures came in a little ahead of expectations, pre-tax profits still slipped from £63 million to £43.2 million, and interest payments of £40 million were, therefore, only twice covered. Beazer's borrowings are almost all in America, locked in at 10 per cent.

Small wonder the share price halved last year to 81p as the depth of the group's troubles hit home. Analysts remain divided on prospects, with pre-tax forecasts ranging from £55 million to nearly £80 million.

On even the most optimistic

scenarios, the shares change hands on more than 11 times earnings. Gamblers may fancy a pre-Budget punt, on the assumption that life can only get better for builders; for more sober investors, the shares are best avoided.

Rugby Group

RUGBY Group finds its profits stuck in cement after the year ended December, and the early signs are that 1991 could be another tough year.

Depressed private sector construction activity in Britain, notably in the second half, compounded by sluggish Australian markets, saw pre-tax profits fall from £89.8 million to £66.7 million on a turnover 13.8 per cent lower at £578 million.

But at least the final dividend is maintained at 3.6p, making an unchanged 6.45p a share, though the cover eases from 3 to 2.3 times. That is, however, still acceptable currently.

While investors wait for better times ahead, pre-tax profits could ease to £60 million this year, before starting to move up in 1992. At 175p, down 5p, the shares trade on 12.9 times prospective earnings backed by a 4.9 per cent yield.

Hardly cheap, but worth remembering when the gloom shows signs of lifting.

ADT

CRITICS of Michael Ashcroft's activities have never had such an opportunity to crow. Much more news like

this and ADT's powerful Canadian shareholder, Laidlaw Transportation, may wonder whether the day of the entrepreneur chairman is ending.

ADT's "other activities" — Ashcroft's investment ventures into non-core businesses such as BAA, Christies International, Nu-Swift and LEP Group — have sent group profits sharply into decline in 1990. They will do the same again in 1991 and have helped leave a £630 million hole in the balance sheet.

ADT was concerned enough to restrict cash dividends to 30 per cent of the total payout. That would have been enough to send the shares into retreat, even without the group's seeming reluctance to offer guidance to analysts.

The lack of an explanation of what was a massive cash outflow will scarcely improve the image of a stock long unloved in London. Best guesses for the current year are around £240 million pre-tax, to produce 17.3 cents of earnings, indicating a p/e multiple of approaching 12. Hard to recommend at this level.

Full house as firms seek Kuwaiti peace prizes

THEY smell the money. Now that the war over Kuwait has been won, winning the peace is the cliché on every politician's lips. For the 1,200 business leaders who packed into a London conference on reconstructing Kuwait, winning the peace means something more specific: winning the contracts.

Noma was on offer yesterday, but the struggle over to get into the conference, organised by Westminster Management Consultants with government help, told enough of a story about the lure of Kuwaiti business for British companies hit by the recession.

John Finigan, general manager of the National Bank of Kuwait's London branches, joked that finding tickets was as hard as buying tickets for the weekend's rugby at Twickenham. Outside, sober-suited businessmen tried hard: swapping tickets with each other to get into hear only some of the conference speakers; attempting to bamboozle staff at the QEII conference centre into slipping them extra tickets.

Inside, businessmen crowded into the centre's largest room, standing at the back, sitting on the floor — all for the possibility of a slice of the post-war business action.

Christian Adams, head of projects and export policy at the trade and industry department, was unabashed. He said: "Having helped Kuwait win the war, we have every reason to help them in the reconstruction as well. That we benefit commercially does not detract from that shared endeavour."

While laying stress on his countryman who had died in the war, Ghazi al-Rayes, the Kuwaiti ambassador, stoked up the enthusiasm. "What do we need? We need everything. We are in need of every service because the country is completely destroyed."

As a senior civil servant, Mr Adams did his best to strike a realistic note. The damage was much less than had been feared, he said. Only one bridge has been destroyed. Most



Lure of Kuwaiti business leaders at yesterday's conference

roads, bridges and hospitals were undamaged. Shops need to be restocked, but there was only a limited need for major non-oil reconstruction work.

He warned British companies against trying to flood either the Kuwaiti government or the British trade force in Kuwait with bids for contracts. He urged companies not to use the single satellite telephone link with the British embassy in Kuwait City. Fax them, he said, but then he pulled himself up, recalling the glut of faxes sent when the first round of contracts with the Corps of Engineers became available. Do not try to get into the country without

being asked, he cautioned. Transport was only available for people with signed contracts, or who had been specifically requested to come by the Kuwaitis. Trying to drive over the Saudi Arabian border was possible, but difficult. Lying that you had a contract in order to get in would be found out; everything was being checked. Things had to go through the proper channels.

The money the businessmen envisaged would be less at the bottom end of the range of speculative estimates, which have been running at anything from \$100 billion to \$500 billion.

Even so, what really gripped

the British businessmen was the money and how it will be spent, as carefully spelled out by Mr Finigan.

Stage one of the reconstruction, the emergency relief work, is well under way and most opportunities for the involvement of British companies have already been taken. Covering a range of 14 sectors, such as firefighting, gas and medical work, this stage will carry out vital repairs and will run until the end of May.

After this will be recovery, planned to last for up to two years. This is where the real opportunities lie for British companies. The restoration of banking and legal sectors, and the recovery of the private sector, are planned for this period. Mr Finigan said there were opportunities for British companies in energy, telecommunications, electrical and water power, desalination and, to a more limited extent, construction.

To the delight of the delegates, he said: "There is no reason why the UK cannot play a disproportionately large role." Reconstruction itself, the third phase, means more in terms of attitude and working practices; more on training, development and management skills. This phase is aimed at kick-starting a previously sophisticated economy into life again.

The substantial organisational effort being put in by Britain will take shape in the coming months: trade fairs in Saudi, a Kuwaiti visit next month, by Peter Lilley, the trade secretary, and a large British presence at an international reconstruction exhibition in November.

The prize is going to be less than many companies thought, but for most — including the managing director of one company en route for Kuwait, or as near as he could get, immediately after the conference — it is still one worth trying to grasp.

PHILIP BASSETT
Industrial Editor

THE TIMES CITY DIARY

Lunch boxes woo AFBF

WITH the merger of The Securities Association and the Association of Futures Brokers and Dealers on April 2 approaching, the AFBF has apparently requested that it be allowed to move into TSA's offices in the Stock Exchange tower a week early, to allow sufficient time for any teething problems to be resolved. Clearly welcoming the move, John Young, chief executive of TSA and chief executive designate of the merged body, which will be known as the Securities and Futures Authority, is convinced, that the way to the AFBF's heart is through its stomach. "I gather that they rate our lunchtime sandwich boxes quite highly," Young says of the boxes given out free to employees prepared to work through their lunch hour. "If people eat at their desks we get about 18 extra man hours out of our staff per annum." Young, aged 53, who was once selected for the Olympics as a sprinter and also represented England and the British Lions on the rugby field before becoming an England selector, helping choose the England team that won the Grand Slam in 1980, is enthusiastic about the contents of the boxes. Something of a chef himself — he does almost all the cooking at his Dorset home — Young reveals they include "wonderful things like sardine baps, which happen to be my favourite". On a more serious note, he explains that

the SFA will be the regulator for members of all the City exchanges, the eurobond market and corporate finance practitioners. "Our aim is to make regulation simple and cheating difficult," he says.

SPOTTED by a reader in The Jewish Press, published in America: "Who was the first businessman mentioned in the Bible? Well, it was probably Noah. He floated a limited company when the rest of the world was in a state of liquidation."

Cheque-ing up

COUTTS & Co, the bank, appears to have a better class of customer. And the Scots are shown as honest in a survey by Transax, which covers retailers against default on cheques

exceeding the banks' £50 limit. On personal cheques there is, it seems, little to differentiate customers of the four main clearing banks but default by Coutts customers, who tend to write out the biggest cheques, runs at only a third of the rate suffered by the others. The most frequent bouncers — per 10,000 cheques — were the Halifax, Nationwide Anglia, Girobank and Abbey National. Transax concludes that a Halifax cheque is three times as likely to bounce as one from Barclays. Business cheques are twice as risky as personal cheques, with the Cooperative Bank having the worst record and Coutts, again, one of the best. The Bank of Scotland was better than average in both categories and TSB Scotland bounced fewer cheques than its English counterpart.

THE Harrods book A Year's Dinners suggests that today, being Budget Day, one should settle for fairly simple fare in keeping with these difficult times: boiled rabbit and marmalade pudding.

Ethical ethos

THE decision by Western governments to write off half Poland's \$33 billion foreign debt may help the crippled Polish economy back onto its feet. It may also encourage businessmen to enrol at training colleges such as the Cracow Industrial Society (CIS), which offers a wide range of seminars and courses. Set up in 1985, CIS has been keen to

propagate the ethos of an honest and uncorrupted entrepreneur, according to its promotional leaflet. CIS is, therefore, alarmed that while most of the classes have been over-subscribed, it has been unable to find any takers for its course on Ethics in Business.

Rea makes mark

SMALL family owned banks do not usually court publicity. But that may be about to change at Rea Brothers, one of Britain's oldest private banks, which made headlines in December when it poached the entire corporate finance team from Gilbert Elliott. The team of ten, led by Tim Seymour, and all ex-County NatWest, has wasted little time making its presence felt. In the past fortnight it has advised Cresta on its £11 million placing and has also advised the consortium led by Unisior Sackler, the French State Steel company, on its £35 million bid for ASD. "We have not had much sleep," admits Seymour, a Rhodes scholar, who spent seven years with County after training as an accountant with Price Waterhouse. His colleagues include Roger Looker, chairman of the Harlequins Football Club, and David Bezzm who, on the brink of the ASD announcement last week, was spotted at the Wigmore Hall, listening to his cellist wife, Sophie Roland.

CAROL LEONARD

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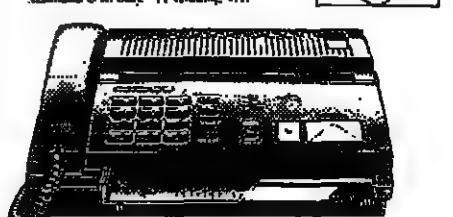
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SHARP
FOR PEOPLE WHO MEAN BUSINESS

Bluebird goes into the red as Hornby rises to £3.8m

By MARTIN BARROW

BRITAIN'S last two remaining major toy companies enjoyed mixed fortunes in 1990. While Hornby Group, which has delighted generations of model railway enthusiasts, increased profits by 10 per cent, Bluebird Toys fell into the red and is passing its dividend.

Both companies gave warning that economic and trading conditions continue to be difficult and would affect the current year. They also claimed they were better placed to survive the recession after relocating substantial parts of their business and netting extraordinary credits from property disposals.

Hornby increased pre-tax profits from £3.47 million to £3.82 million on turnover up from almost £32 million to £39.5 million. Keith Ness, managing director, said demand for toys, models and sports boats remained reasonably strong. The company reaped the benefit of the Mount Hero Turtle craze, supplying hand-held electronic turtle games.

Earnings were 30.1p a share, up from 28.3p. Hornby, which does not pay interim dividends, is recommending a final 9p (7.5p).

Although the company

ended the year with £4.9 million net cash (£900,000), net interest costs were also up from £143,000 to £429,000. The disposal of surplus properties after the relocation of Fletcher, the sports boat manufacturer, yielded a £616,000 extraordinary credit.

The picture at Bluebird was less encouraging. Despite a 16 per cent increase in sales to £44.29 million, the company incurred £856,000 pre-tax losses, compared with £2.18 million profit. Losses per share were 10.8p (17.3p earnings), prompting Bluebird to pass dividend payments (6.75p last time).

Although the company netted almost £6 million through a rights issue last year, interest charges rose again from £1.75 million to £2.73 million. Higher interest rates also affected consumer demand, and were blamed for a disappointing Christmas by Torquil Norman, the chairman.

Operating profits fell from £3.93 million to £2.73 million. There was an exceptional charge of £1.23 million to cover the cost of closing a factory in Swindon and transferring production to Merthyr Tydfil, with associated redundancies.



Right tracks: Keith Ness, Hornby managing director

Tax charge damages W Canning's profits

W CANNING, the specialist chemicals and electronic components distribution company, has announced a 24 per cent decline in pre-tax profits from £9.03 million to £6.84 million for the year ended 31 December.

Group turnover was £126 million compared with £109 million previously. A final dividend of 4.35p makes 7.29p for the year, a 2 per cent increase on last year's 7.15p. Losses in the company's

Spanish electronic components distribution subsidiary resulted in an "exceptionally high tax charge" of 46 per cent against 41 per cent in 1989.

David Probert, the chairman, said that the low levels of demand seen in the second half of 1990 are likely to continue. Mr Probert added, however, that the group's profitability in January and February had been "close to budgeted levels".

Hongkong Land leaps despite falling rents

HONGKONG Land, the colony's biggest landlord, yesterday announced record profits despite falling commercial rents and a drop in the company's net asset value.

After-tax profits rose 39 per cent to US\$267.7 million for the year to end-December, and were further boosted by an extraordinary gain of \$152.9 million from the sale of a prime office building, the World Trade Centre.

Earnings per share increased by 38 per cent to 10.52 cents. A final dividend of 5.3 cents per share is to be paid, making a total of 8.25 cents for the year, up 34 per cent. The company's net asset value per share fell by 18 per cent to \$1.64.

The figures, which were in line with analysts' expectations, bode well for the results of its 33 per cent shareholding, Jardine Strategic Holdings and Jardine Matheson Holdings, group parent.

Refuge up to £14.5m despite losses

By NEIL BENNETT
BANKING CORRESPONDENT

REFUGE Group, the Cheshire financial services group, shrugged off losses in estate agency and general insurance last year to edge pre-tax profits 2 per cent ahead to £14.5 million.

John Cadworth, the new chief executive, has begun a review to decide what action to take over the loss-making and Refuge's main life assurance business. Refuge increased its final dividend by 1.5p to 18.5p, making 26.75p for the year, up 10 per cent.

Refuge's life assurance subsidiaries made a net profit of £13.3 million in 1990, up 8 per cent. The unit trust arm increased its net profit 266 per cent to £1.32 million, but the figures were hit by a £857,000 loss in general insurance, down from a £688,000 profit in 1989.

The company paid out £1 million for storm damage at the start of the year and a further £1 million in subsidence and theft claims in the final quarter.

Douglas Allen Spire, Refuge's estate agency chain in Essex, lost £1.33 million, compared with a £1.60 million loss in 1989.

Refuge suffered a £454,000 loss in its offshore fund management arm in the Isle of Man, after a £424,000 loss in 1989. Tom Booth, chairman, said the subsidiary had insufficient funds under management to generate commission.

Life assurance premiums rose 10 per cent to £108 million in the year. Mr Booth said personal pensions now accounted for a quarter of the business through Refuge's sales force.

Athens, the French insurer, sold its 10.1 per cent stake in Refuge in February. Mr Booth said the two companies had talked about possible joint ventures before the sale, but added that he planned to increase the company's market share in Britain before expanding into Europe.

BUSINESS LETTERS

CBI figures must be reliable

From the director general of the Confederation of British Industry

Sir, To accuse the CBI of being "erratic" in releasing the results of its Pay Databank (Business Comment, February 27) is to misunderstand the nature of the information available and how it is published.

What concerns us is that the numbers responding should be large enough to provide a statistically reliable sample. We cannot afford a less responsible attitude when, as you correctly state, our Databank is the leading indicator of what is happening to pay and productivity in the manufacturing sector. Our paramount requirements are that the release is prompt and the figures accurate and statistically reliable.

Pay and performance data are published in the CBI Employment Affairs Report bi-monthly. Provisional figures for any quarter are not included until we have a sufficient number of reported settlements.

These are revised - in line with commonly accepted practice - as new reports are received. At the time of the December issue, there were insufficient reports to justify a 1990 fourth quarter estimate - a quarter in which the total number of settle-

ments is, in any event, relatively low.

We included a "stop press" item in the latest issue because we already had over 50 per cent of the results for January, much the busiest settlement month in the quarter, and because the Report on this occasion was devoted to the topical subjects of pay and performance.

Three important developments in manufacturing were recorded; a continuing trend towards deferral and delay of settlements, with around one in ten not giving an increase from the due date; a significant drop in average settlement levels; and a slight recovery in productivity growth from the 2.9 per cent recorded in the fourth quarter of 1990 to 3.7 per cent in the latest period. This release was not, as you report, an exception to our normal practice of examining pay and performance together.

Suggestions that the timing of publication of any CBI survey material is managed for "propaganda" purposes are wholly misplaced.

Yours faithfully,
JOHN M. M. BANHAM,
Director General,
Confederation of British Industry,
Centre Point,
103 New Oxford Street,
WCL

Fimbra should be abolished

From Mr Peter H. Stallard

Sir, The point about Fimbra is that it is misconceived from the start; the inclusion of life assurance and pensions as an investment was an afterthought without full consideration.

However the solution is not impossible or difficult. Fimbra should be abolished and its members re-allocated to other SRCs.

Category A members (who are basically life assurance sales people) to Lauto so that they and tied agents and appointed representatives can be treated equally and the much needed "level playing field" created.

Category B members to the Insurance Brokers' Registration Council; well established and efficiently and economically run.

Category C members to Isuro.

Yours faithfully,
PETER H. STALLARD,
Chartered Insurance Practitioner,
Granby Cottage,
Ufford Road,
Bainton,
Stafford.

Litigation settled

From Mr B. Pearn

Sir, Last year you reported on Chestergate's pre-tax losses announced in its annual report on 9 March. I informed you then that my wife and I were suing Chestergate for libel for statements made in that report.

In a statement in open Court on 28 February Chestergate, Mr Roger Taylor (previous Chairman) and Mr Nicholas Hayes (previous Managing Director) unreservedly withdrew the allegations made against my wife and myself and through their counsel apologised to us. Four previous directors of Chestergate also apologised in writing to us for allegations made in the accounts between ourselves and Chestergate.

The litigation has now settled and I wish to emphasise that Chestergate did not recover one penny from myself or my wife.

Yours faithfully,
BRIAN PEARN,
Address supplied.

Tough talking on Ecu will bring success

From Mr P. Luff

Sir, It would be a tragic delusion for Britain if we start to believe that the tough negotiating over European monetary union means the project will fail (Business Comment, February 28).

The difference between the German government and Jacques Delors is one of degree - a fairly small one at that. Between Mrs Thatcher and the other two protagonists it was one of kind.

Our European partners have made their commitment to monetary union clear. There will, however, be a great deal of debate about the exact nature and timing of the Central Bank and the degree of political control. There will also be intense discussions about other parts of the proposed union concerning such aspects as budget deficits and control. Negotiating the new treaty will not be easy but it will be successful.

Yours sincerely,
PETER LUFF,
Director,
The European Movement,
Europe House,
1 Whitehall Place, SW1.

Lamont's lament

From Miss M. M. Morrison

Sir, To reinforce his Budget proposals, Mr Lamont's cinema outing (City Diary, February 28) will be to one-time popular film *You Can't Take It With You*.

Yours faithfully,
MOREEN M. MORRISON,
Flat 5,
47 Cornton Road,
Hanger Hill,
Basing,
London, W5.

Pru sells 98 estate agencies

ANOTHER 98 estate agent offices have been sold by the Prudential Insurance group. The Pru has now sold about 400 offices after deciding late last year to bail out of the loss-making network it had spent six years and £330 million building.

The latest batch, in the north of England, was sold for £1.28 million to Reeds Rains, a new company. The Pru now has only 100 estate agencies left, in the Southeast.

Last month it sold 99 offices to Counsel, the estate agency subsidiary of Scottish Widows, for £4.5 million and in January it sold 191 offices to Woolwich Building Society for £21.7 million.

BET names chief
BET has confirmed the appointment of John Clark, an American businessman, as chief executive. Mr Clark, now a director of Transnational Capital Ventures, will take up the position next month when Nicholas Wills, the incumbent, takes over from Sir Timothy Bevan as chairman.

Savings boost
National Savings rose by a net £22.8 million in February, the biggest increase coming from income bonds. Receipts for these totalled £88.4 million. In the financial year to date, the total invested in National Savings is £36.5 billion, a net increase of £1.27 billion on the same period in 1989.

Vietnam trail
Inchcape Pacific, the Hong Kong trader, has signed an agreement with Unilever, the Anglo-Dutch group, to market healthcare products, such as Sunilk and Timotei shampoo and Lux toilet soap, in Vietnam. The deal also involves Inchcape exporting Vietnamese-grown tea to Unilever's Lipton Tea unit.

FT-SE 100 VOLUMES

Vol '90	Vol '90	Vol '90	Vol '90
Admiral 2,211	Chubb 948	LBO 1,870	Power Dyn 387
Anglo 587	CU 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387
Anglo 587	Courtauld 774	Lloyds 3,035	Reynolds 387

REFUGE GROUP preliminary results

Chairman

Tom Booth reports:

"The overall profits of the businesses other than the cyclical general insurance rose by 18.5%, an excellent figure."

DIVIDENDS UP BY 10.3%

RESULTS

PROFIT FOR YEAR

after tax (£m) 13.58 12.87

DIVIDEND per share

Interim paid 8.25p 7.25p

Proposed final payable

7th June 1991 18.50p 17.00p

26.75p 24.25p

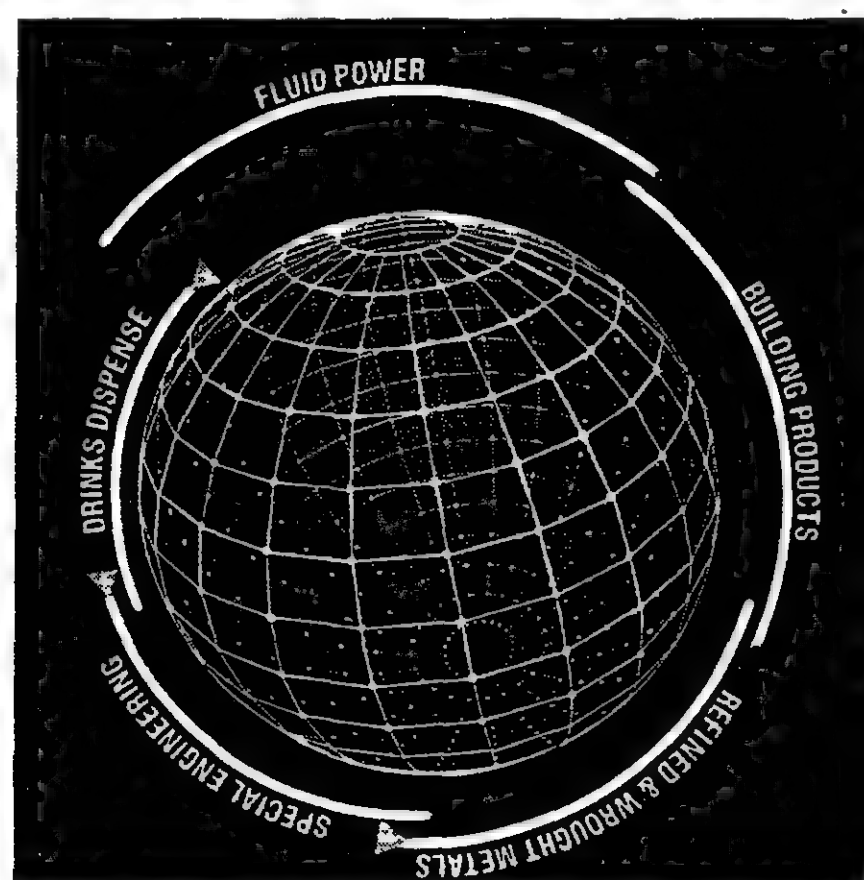
REFUGE GROUP PLC

Refuge House, Alderley Road

Wilmslow, Cheshire SK9 1PF

Telephone: 0625-535959

REGISTRATION NO. 00446461



FULL YEAR RESULTS 1990

	1990	1989
Sales	£1,029.4m	£1,079m
Profit before tax	£115.1m	£125.3m
Earnings per share	23.0p	25.2p
Dividend per share	10.0p	9.5p

Our strategy in recent years has been to diversify territorially and establish leading market and technical positions in our main product areas. Although results reflected conditions in the weakening UK and US economies, we achieved substantial growth in Germany and other parts of continental Europe in Drinks Dispense, Fluid Power and Building Products.

Our balance sheet remained strong with gearing at 10.5% and we continued to expand across the world with acquisitions in the UK, USA, Italy and Greece.

IMI

[illegible]

Dow falls on high turnover

AMERICAN blue chips were trading in a tight range at slightly lower levels at midday, while the broad market was about even.

The Dow Jones industrial average was down 9.16 at 2,939.11. Declining and advancing shares were about even. Turnover was active, with more than 85 million shares traded.

"This flat advance/decline line is not reflective of a strong market," said Thom Czech, chairman of the investment committee at Blunt, Ellis and Loewi.

● **Hang Seng** — The blue chip indicator closed little changed after a day in which follow-through buying gave way to profit taking, setting the Hang Seng index swinging in a 48-point range.

The Hang Seng index was 1.96 up at 3,724.35 after hitting a high of 3,742 and rebounding from a late morning low of 3,694.

● Tokyo — The Nikkei closed up 303.81 at 27,146.91, the highest closing level since August 16, and a little over half-way between its historic peak in December 1989 and bottom in October 1990.

● Frankfurt — The Dax index closed down 17.7 points at 1,552.85.

Competition worries cause pessimistic view of Asda

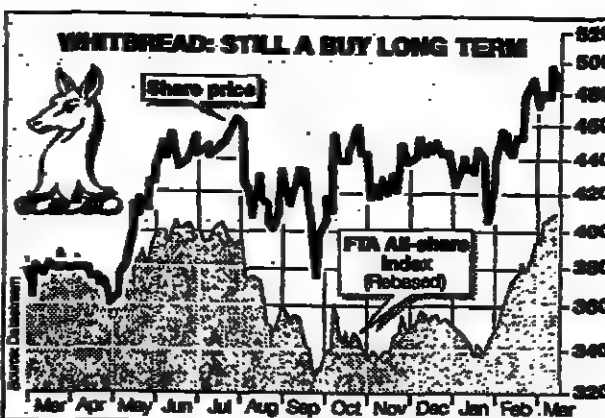
WORRIES about increased competition at Aoda, the supermarket chain, are forcing brokers to take an increasingly pessimistic view of the group's longer-term prospects.

Yesterday the shares slipped a further 2p to 131p, for a two-day loss of 8p, as E2W lowered its estimate of pre-tax profits for the year to April 30 from £182 million to £177 million after a visit to the company. At least one other leading securities house is expected to publish a bearish review later this week and more are expected to follow.

... BZW complains that sales at Allied and MFI were poor during January and February. Analysts are also worried by the expansion programmes at its two biggest rivals, Tesco, up 3p at 265p, and Sainsbury, 2p firmer at 350p, after recent fundraising exercises. They say poor cashflow prevents Asda from embarking on a similar project.

The rest of the equity market was quiet ahead of the Budget today. But share prices rallied twice from earlier markdowns with investors still looking for another cut in

interest rates. The FT-SE 100 index, down more than 16 points at one stage, later



recent regulatory changes.

County is a seller of Bass down 24p at £10.45, Guinness 1p cheaper at 859p, and Scottish & Newcastle, 9p lower at 389p. It is still keen on Grand Metropolitan, 9½p down at 765p, and a long-term buyer of Whitbread A, 15p weaker at 482p.

The battle for Next's mail order business, looks over after Sears, the Selfridges stores to Freemans mail order group, effectively decided to throw in the towel. Sears increased its offer to £165 million and was promptly matched by Otto Versand, the German mail order giant.

German mail order group. Sears says it has no intention of increasing its offer again. The Sears share price finished ½p firmer at 96p, while Next touched 32p before closing ½p lower at 29p.

The water companies continued to attract profits taking in the wake of their recent strong run. Falls were witnessed in Anglian, 3p to 301p, North West, 3p to 310p, Severn Trent, 2p to 280p, Southern, 7p to 278p, Thames, 2p to 300p, Welsh, 8p to 340p, and Yorkshire, 6p to 308p. The water package tumbled £32 to £3.038.

MICHAEL CLARK

RECENT ISSUES

EQUITIES		
Atlantic Resources		37
Ashford-Smith (80)		118-62
Alliance Res		48
Alcan (100)		49
Alcan (155P)		49
CMW Group (80)		61-2
Castle Cairn (50)		38-1
EFM Java Jetn (50)		40
Edwards (100)		50
El Golein (100)		62
Enbridge		99
Group Energy		129
Fiber Press (175P)		128
Foreign & Col		50
Highcroft Inv		155
Imperial (100)		125
Leveraged (100P)		60
MMEC		31-2
MMI (200)		23-7
Melara Capital		120
Midland Radio		95
Peticon Gro (50P)		95
Protea Int (100)		120-3
Sonnet Healthcare		105
Smaller Int		83
St. Lawrence (225P)		174-2
Trio Inv Trst		44
Unit Uniform		86
Unicorn (100P)		148-3
Wig Twp Ag		22-1
		627
RIGHTS ISSUES		
Beynes (Charles) N/P		114
Cortina Hospital N/P		33
Desert House N/P		33
Wilkes N/P		29-2

MAJOR INDICES

New York:	
Dow Jones	2931.44 (-16.83)
S&P Composite	371.91 (-1.68)
Tokyo:	
Nikkei Average	27148.91 (+303.81)
Hang Seng	3724.35 (+1.93)
FT-SE Euro 100	1084.16 (-8.40)
Amsterdam:	
CBS Trading	82.8 (-3.9)
Sydney: AO	1458.8 (+11.1)
London: DAX	1552.65 (+2.79)
Brunel:	
General	5785.61 (-2.91)
Pairs: CAC	475.71 (-7.0)
Zurich: SKA Gen	544.9 (-5.8)
FT - A-All Share	1212.20 (-2.47)
FT - "500"	1228.80 (-1.90)
FT Gold Mines	147.4 (+0.1)
FT Fused Interest	93.23 (-2.09)
FT Soc Sec	84.49 (-0.13)
Berged	149.00 (-0.13)
S&P Volume	469.8M
USD (Dutchmark)	137.12 (+2.04)

*Denotes latest trading price

LONDON TRADED OPTIONS

		Call		Pay				Call		Pay	
Index	Age	Oct	Nov	Oct	Nov	Index	Age	Oct	Nov	Oct	Nov
947	58	60	52	12	13	Reed	189	44	27	54	55
948	59	62	54	13	14	(722)	190	47	28	55	56
949	60	63	55	14	15		191	48	29	56	57
950	61	64	56	15	16		192	49	30	57	58
951	62	65	57	16	17		193	50	31	58	59
952	63	66	58	17	18		194	51	32	59	60
953	64	67	59	18	19		195	52	33	60	61
954	65	68	60	19	20		196	53	34	61	62
955	66	69	61	20	21		197	54	35	62	63
956	67	70	62	21	22		198	55	36	63	64
957	68	71	63	22	23		199	56	37	64	65
958	69	72	64	23	24		200	57	38	65	66
959	70	73	65	24	25		201	58	39	66	67
960	71	74	66	25	26		202	59	40	67	68
961	72	75	67	26	27		203	60	41	68	69
962	73	76	68	27	28		204	61	42	69	70
963	74	77	69	28	29		205	62	43	70	71
964	75	78	70	29	30		206	63	44	71	72
965	76	79	71	30	31		207	64	45	72	73
966	77	80	72	31	32		208	65	46	73	74
967	78	81	73	32	33		209	66	47	74	75
968	79	82	74	33	34		210	67	48	75	76
969	80	83	75	34	35		211	68	49	76	77
970	81	84	76	35	36		212	69	50	77	78
971	82	85	77	36	37		213	70	51	78	79
972	83	86	78	37	38		214	71	52	79	80
973	84	87	79	38	39		215	72	53	80	81
974	85	88	80	39	40		216	73	54	81	82
975	86	89	81	40	41		217	74	55	82	83
976	87	90	82	41	42		218	75	56	83	84
977	88	91	83	42	43		219	76	57	84	85
978	89	92	84	43	44		220	77	58	85	86
979	90	93	85	44	45		221	78	59	86	87
980	91	94	86	45	46		222	79	60	87	88
981	92	95	87	46	47		223	80	61	88	89
982	93	96	88	47	48		224	81	62	89	90
983	94	97	89	48	49		225	82	63	90	91
984	95	98	90	49	50		226	83	64	91	92
985	96	99	91	50	51		227	84	65	92	93
986	97	100	92	51	52		228	85	66	93	94
987	98	101	93	52	53		229	86	67	94	95
988	99	102	94	53	54		230	87	68	95	96
989	100	103	95	54	55		231	88	69	96	97
990	101	104	96	55	56		232	89	70	97	98
991	102	105	97	56	57		233	90	71	98	99
992	103	106	98	57	58		234	91	72	99	100
993	104	107	99	58	59		235	92	73	100	101
994	105	108	100	59	60		236	93	74	101	102
995	106	109	101	60	61		237	94	75	102	103
996	107	110	102	61	62		238	95	76	103	104
997	108	111	103	62	63		239	96	77	104	105
998	109	112	104	63	64		240	97	78	105	106
999	110	113	105	64	65		241	98	79	106	107
1000	111	114	106	65	66		242	99	80	107	108
1001	112	115	107	66	67		243	100	81	108	109
1002	113	116	108	67	68		244	101	82	109	110
1003	114	117	109	68	69		245	102	83	110	111
1004	115	118	110	69	70		246	103	84	111	112
1005	116	119	111	70	71		247	104	85	112	113
1006	117	120	112	71	72		248	105	86	113	114
1007	118	121	113	72	73		249	106	87	114	115
1008	119	122	114	73	74		250	107	88	115	116
1009	120	123	115	74	75		251	108	89	116	117
1010	121	124	116	75	76		252	109	90	117	118
1011	122	125	117	76	77		253	110	91	118	119
1012	123	126	118	77	78		254	111	92	119	120
1013	124	127	119	78	79		255	112	93	120	121
1014	125	128	120	79	80		256	113	94	121	122
1015	126	129	121	80	81		257	114	95	122	123
1016	127	130	122	81	82		258	115	96	123	124
1017	128	131	123	82	83		259	116	97	124	125
1018	129	132	124	83	84		260	117	98	125	126
1019	130	133	125	84	85		261	118	99	126	127
1020	131	134	126	85	86		262	119	100	127	128
1021	132	135	127	86	87		263	120	101	128	129
1022	133	136	128	87	88		264	121	102	129	130
1023	134	137	129	88	89		265	122	103	130	131
1024	135	138	130	89	90		266	123	104	131	132
1025	136	139	131	90	91		267	124	105	132	133
1026	137	140	132	91	92		268	125	106	133	134
1027	138	141	133	92	93		269	126	107	134	135
1028	139	142	134	93	94		270	127	108	135	136
1029	140	143	135	94	95		271	128	109	136	137
1030	141	144	136	95	96		272	129	110	137	138
1031	142	145	137	96	97		273	130	111	138	139
1032	143	146	138	97	98		274	131	112	139	140
1033	144	147	139	98	99		275	132	113	140	141
1034	145	148	140	99	100		276	133	114	141	142
1035	146	149	141	100	101		277	134	115	142	143
1036	147	150	142	101	102		278	135	116	143	144
1037	148	151	143	102	103		279	136	117	144	145
1038	149	152	144	103	104		280	137	118	145	146
1039	150	153	145	104	105		281	138	119	146	147
1040	151	154	146	105	106		282	139	120	147	148
1041	152	155	147	106	107		283	140	121	148	149
1042	153	156	148	107	108		284	141	122	149	150
1043	154	157	149	108	109		285	142	123	150	151
1044	155	158	150	109	110		286	143	124	151	152
1045	156	159	151	110	111		287	144	125	152	153
1046	157	160	152	111	112		288	145	126	153	154
1047	158	161	153	112	113		289	146	127	154	155
1048	159	162	154	113	114		290	147	128	155	156
1049	160	163	155	114	115		291	148	129	156	157
1050	161	164	156	115	116		292	149	130	157	158
1051	162	165	157	116	117		293	150	131	158	159
1052	163	166	158	117	118		294	151	132	159	160
1053	164	167	159	118	119		295	152	133	160	161
1054	165	168	160	119	120		296	153	134	161	162
1055	166	169	161	120	121		297	154	135	162	163
1056	167	170	162	121	122		298	155	136	163	164
1057	168	171	163	122	123		299	156	137	164	165
1058	169	172	164	123	124		300	157	138	165	166
1059	170	173	165	124	125		301	158	139	166	167
1060	171	174	166	125	126		302	159	140	167	168
1061	172	175	167	126	127		303	160	141	168	169
1062	173	176	168	127	128		304	161	142	169	170
1063	174	177	169	128	129		305	162	143	170	171
1064	175	178	170	129	130		306	163	144	171	172
1065	176	179	171	130	131		307	164	145	172	173
1066	177	180	172	131	132		308	165	146	173	174
1067	178	181	173	132	133		309	166	147	174	175
1068	179	182	174	133	134		310	167	148	175	176
1069	180	183	175	134	135		311	168	149	176	177
1070	181	184	176	135	136		312	169	150	177	178
1071	182	185	177	136	137		313	170	151	178	179
1072	183	186	178	137	138		314	171	152	179	180
1073	184	187	179	138	139		315	172	153	180	181
1074	185	188	180	139	140		316	173	154	181	182
1075	186	189	181	140	141		317	174	155	182	183
1076	187	190	182	141	142		318	175	156	183	184
1077	188	191	183	142	143		319	176	157	184	185
1078	189	192	184	143	144		320	177	158	185	186
1079	19										

TRADITIONAL OPTIONS

First Dealings	Last Dealings	Last Dealings	For Settlement
March 31	April 5	June 27	July 8
Cad capital were Buddens, Burtons, Norris, Premier, Saseel Piper, Invercra, VTR	Incident out on 18/09/91 Cullis Inc, Control Sea, Saseel, Scottish Heritage Trust,	Amurad, Ayira, Huntersprint, The Rack, Tustin,	Bennett & Fountain, National Power, New

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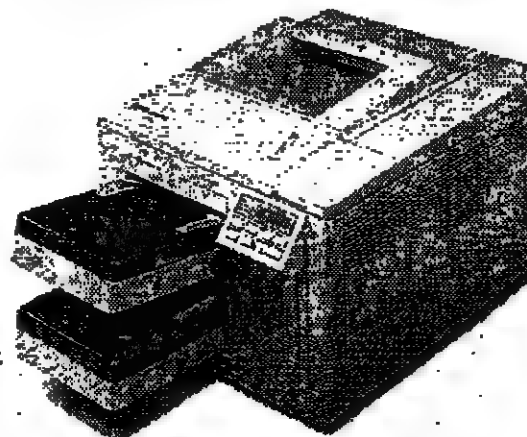
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PACKARD**

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MONEY MARKETS

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COMMODITIES

LONDON FICE				SUGAR (C&S)				LONDON OIL REPORTS (C&S-LON) - London 6.00pm							
Cocoa				C Gossinlow				L1 prices eased slightly in this trading. considered that prices would now chop about in a narrow range.							
Mar	670-695	May	644-645	Vol	2044-04.0										
May	687-695	May	595-597	Vol	200.0-04.0										
Jul	732-732	Jul	578-577	Oct	195.0-04.0	CRUDE OILS (\$/bbl net FOB)				Brant Physical	14.25	-0.75			
Nov	735-735	Nov	595-595	Oct	195.0-04.0	Brant 15 day (Apr)	14.25	-0.75							
Dec	736-735	Dec	595-595	Oct	195.0-04.0	W Texas 15 day (May)	17.25	-0.25							
Jan	764-763	Jan	610-607	Nov	195.0-04.0	W Texas Intermediate (Apr)	19.00	-0.40							
Mar	776-774	Mar	627-625	Nov	195.0-04.0	W Texas Intermediate (May)	19.25	-0.45							
May	738-730	May	640-632	Vol	195.0-04.0	PRODUCTS (\$/bbl net F&T)									
Vol	5054	Vol	2674	Vol	1595	Spot CF New York Europe (contract delivery)									
LONDON GRAIN FUTURES				H-PRO SOYA				Premium Gas 1.5							
WHEAT		BARLEY		Cloves #70		Cloves #70		RDX: 244 (-2)		Oiler: 244 (-4)					
Mar	122.50	May	114.85	Apr	117.5	Apr	117.5	100 (Oct)		107 (Apr)					
May	122.10	May	112.25	Jun	118.5-16.5	Jun	118.5-16.5	100 (Nov)		107 (May)					
Jul	122.50	Jul	107.60	Aug	118.0-18.0	Aug	118.0-18.0	100 (Dec)		107 (Jun)					
Aug	122.50	Aug	111.50	Oct	118.0-18.0	Oct	118.0-18.0	100 (Jan)		107 (Jul)					
Nov	113.80	Nov	114.80	Dec	120.0-20.5	Dec	120.0-20.5	100 (Feb)		107 (Aug)					
Vol	220	Vol	47	Vol	200	Vol	200	100 (Mar)		107 (Sep)					
LONDON POTATO FUTURES				Volume: 514				IPE FUTURES							
Apr (\$/tonne)		Open: 125.0		Cloves: 117.0		Cloves: 117.0		Apr		162.50-82.25					
May		Open: 184.5		Cloves: 114.5		Cloves: 114.5		May		158.50-58.50					
BEAT & LIVESTOCK COMMISSION				LONDON MEAT				Jun		158.75-57.00					
Average futures prices at				Futures				Jul		161.75-68.00					
expressive nearest cash				Live Pig (Pkg)				Aug		161.75-68.00					
on March 16				Open: 114.0	Apr	Apr	Apr	May		161.75-68.00					
(Oz/kg net)		Apr	Jun					161.75-68.00							
May	67.25	Apr	108.25	Apr	112.5	Apr	112.5	Jul		161.75-68.00					
End/High:	67.91	500.48	109.01	Apr	112.5	Apr	112.5	Aug		161.75-68.00					
Low:	67.91	500.48	109.01	Apr	112.5	Apr	112.5	Sep		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Oct		161.75-68.00					
Settlement:	66.38	183.7	110.89	Apr	112.5	Apr	112.5	Nov		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Dec		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jan		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Feb		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Mar		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Apr		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	May		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jun		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jul		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Aug		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Sep		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Oct		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Nov		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Dec		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jan		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Feb		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Mar		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Apr		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	May		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jun		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jul		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Aug		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Sep		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Oct		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Nov		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Dec		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Jan		161.75-68.00					
Vol:	6.7	80.8	25.2	Apr	112.5	Apr	112.5	Feb		161.75-68.00					
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Small steps to win justice

Last week the Birmingham Six were freed after nearly 17 years in prison. Both their convictions and those of the Guildford Four came before the Police and Criminal Evidence Act 1984 (known as PACE), with its codes of practice and the introduction of tape-recording of interviews. The Conflat case, which also involved unreliable records of interviews and false confessions, led directly to the Royal Commission on Criminal Procedure, whose brainchild PACE was.

Now, in the midst of a journalistic witch-hunt, whose primary target is Lord Lane, the Lord Chief Justice, a royal commission has been set up — as if the lessons of the Conflat case are not still clear. In fact, considerable progress towards safer and more effective processes of criminal investigation and justice has been made, not least by Lord Lane himself, and only a few small but significant steps need to be taken.

Lord Scarman advocates (*The Times*, March 5, 1991) a series of radical improvements, the most significant of which are a requirement for corroboration of confession evidence and the closer involvement of judges in the pre-trial process. What he and like-minded people may not have realised is that before parliamentary approval of the revised codes of practice last December, there was a well-advised, 12-month consultation period during

New codes of practice may help prevent

another Birmingham Six injustice, say David Wolchover and Anthony Heaton-Armstrong



which submissions from the judiciary and the practising Bar were, with few exceptions, absent. Yet, throughout this time anxiety about the West Midlands serious crime squad and Guildford and Birmingham cases was growing. Where were the judges? The drafting process for the revised codes was a golden opportunity but the end product is more the result of police lobbying than that of a critical analysis by those in the best position to put the codes under the microscope.

To suggest, as Lord Scarman does, that judges can be relied on to weed out cases based on unsatisfactory and unreliable police evidence is unrealistic. If judges had this ability it is arguable that the Conflat, Guildford, Birmingham and West Midlands cases would never have gone to court. The principles of fairness and open-mindedness enshrined in PACE and both versions of the codes were hardly political inventions, but Parliament and the police had to spell them out.

Nowhere is this more abundantly apparent than in the field of interview records. Why did it need politicians to explain to the courts

that traditional methods of recording interviews are highly unreliable? The answer lies in the inadequate training structure for criminal court judges, many of whom have pursued careers that mainly involve asking juries to accept the word of the police in preference to the accused.

The narrow-minded approach of the Court of Appeal which, in *R v Breckinridge* and *Francis* decided that the questioning code did not apply to interviews away from a police station — despite the prosecution's concession that it did — is particularly apt. A more regulatory, disciplined framework is needed, as is an even more rigorous approach by the courts to breaches. The revised codes of practice provide some of the answers and the introduction of mandatory tape recording of police station interviews, forecast for the end of the year, will greatly help.

More is needed, however, and the police are in the best position to press for and activate further change. There are two crucial issues: the record of an alleged confession, and if so, is the confession true? The revised

codes make it more difficult for the police to interview away from the police station, thus avoiding the requirement for tape-recording. But there remain many exceptional circumstances when non-tape recorded interviews continue to be permitted.

Since some police officers already use hidden, hand-held, voice-activated tape recorders to protect themselves against later complaints, there should be little objection to an extension of the practice to all interviews away from the police station, and even interviews with potential witnesses, unless this is obviously impracticable.

The truth of confessions presents trickier problems. Given the inherently creative nature of custodial interrogation, research suggests many suspects are vulnerable to false confession even when the police treat them with kid gloves.

The revised codes make extensive improvements to the procedure for notifying detainees at police stations of their right to legal advice. The position, however, remains far from satisfactory. A more paternalistic stance is necessary to protect the ignorant and suggestible. In the Commons debate on the revised codes, Teresa Gorman, MP suggested an arbitrator at interviews. Lord Scarman argues that, as minimum requirement for the admis-



Free: Hugh Callaghan, one of the Birmingham Six, speaks at the Old Bailey as others celebrate

sibility of evidence of confessions, interviews should be conducted in front of a solicitor or other independent person. The police are rarely slow to call in a representative of the independent Police Complaints Authority to oversee investigations.

Unless solicitors are not to be trusted, what possible objection could the police therefore have against a requirement for a suitably qualified legal adviser to be

present in person as a matter of course before and during police station interviews? The longer a detainee is in police custody, the greater the need for independent legal advice. Whether the detainee requests legal advice or not, compulsory requirement for it is the best option.

As a further safeguard, Andrew Bennett, MP, also in the Commons debate, urged the introduction of video and audio recording

equipment in cell corridors to deter improper approaches by police.

The inquisitorial system of justice has much to offer but with the new codes of practice there is no reason why our adversarial system, with all its faults, should not become less of a gladiatorial battlefield and more like an effective and impartial enquiry.

● The authors are barristers who helped draft the revised codes.

Law Report March 19 1991 Court of Appeal

Place of making arbitration is where award is expressed to be signed

Hiscox v Outthwaite

Before Lord Donaldson of Lynton, Master of the Rolls, Lord Justice McCowan and Lord Justice Leggatt

[Judgment March 11]

An arbitration award was made when the arbitrator, being no longer able to revoke or vary the award, had expressed his final determination.

Where the award was signed and expressed by the arbitrator to be dated at Paris, it was made in France and was a Convention award for the purposes of section 7(1) of the Arbitration Act 1975, even though the parties had agreed that the arbitration should take place in London and be governed by English law. In consequence the English court, although the award was limited to enforcement in

accordance with the 1975 Act, and the Arbitration Acts 1950 and 1979 would not apply to the award.

However, since it had initially been the common assumption of the parties that the award was made in the English court's supervisory jurisdiction under the 1950 and 1979 Acts, and since one of the parties had acted on that assumption, the other party was estopped from asserting that the award was not made in England.

The Court of Appeal so stated by a majority dismissing an appeal by Mr Richard Henry Moffitt Outthwaite and all other members of Syndicate 661 at Lloyd's who were parties to a contract of reinsurance, the subject matter of the dispute, from Mr Justice Hirst (*The Times* March 7) who, on applications by Robert Ralph Scrymgeour Hiscox (suing on his own behalf and on all members of Syndicate 33 at Lloyd's) for leave to appeal under section 1(3)(b) of the 1979 Act, for a statement of further reasons under section 1(5) of that Act, and for remission under section 22 of the 1950 Act, had held that an award signed and dated at Paris by the arbitrator, Mr Robert MacCrimmon, QC, with delivery to the parties in London, was made in London and was not therefore an award to which the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards applied.

Mr Jonathan Sumption, QC and Mr Christopher Butcher for Mr Outthwaite; Mr Anthony Colman, QC, Mr Jonathan Gilman, QC and Mr John Lockey for Mr Hiscox.

THE MASTER OF THE ROLLS said that he was unable to accept the judge's view that an award was made at the seat or central point of the arbitration. Where the court was concerned with a statute designed to give effect to an international convention, in the event of ambiguity it was permissible to have regard to the preparatory work to ascertain the mischief at which the convention was directed.

From the travaux it was clear that the mischief was a tendency for countries to categorise awards as foreign or domestic for enforcement purposes by reference not to where the

arbitration was held or the award was made, but by reference to such considerations as the nationality of the parties involved or the law governing the arbitration procedure.

It was reasonably clear that the intention was to make the application of the convention depend on a "universally applicable objective criterion, namely where the award was made regardless of what was the procedural law governing the arbitration."

This conclusion left open the possibility that it was not the act of signing the award which constituted making it, but the delivery of the award to the parties or a notification to them that it was ready for delivery.

Here the award was signed in Paris but the parties were notified that it was ready for

collection from 4 Essex Court in the Temple and delivery of it was taken at that address.

His Lordship referred to *Brooke v Mitchell* (1840) 6 M & W 473 which demonstrated that what the court had to look for was the first point of time at which the arbitrator's award could not be revoked or altered, and at which the arbitrator's final determination and was *functus officio*.

With considerable doubts his Lordship concluded that where an award stated that it was dated or signed in a particular place, that was the place where it was made. If no such statement was included it should be taken to be made in the place where it was made available to the parties or on which it was sent to the parties.

In circumstances should it be necessary, and it could not have been contemplated by the convention, that there should be a factual enquiry by the enforcing court as to where an award was signed if that did not appear on the face of the award. He therefore concluded that the present award was a Convention award.

Applicability of Arbitration Acts 1950 and 1979

His Lordship referred to Mr Sumption's argument that in consequence of the award being a Convention award, the role of the English court by virtue of sections 3 and 5 of the Arbitration Act 1975 was limited to granting or withholding enforcement of the award, and that the English court was thus precluded from applying its own curial law to supervise the award under the 1950 and 1979 Acts.

His Lordship rejected that argument. In his judgment the answer lay in treating a court which was both the competent authority and an enforcing court as two separate courts with different hats or wigs.

The convention then worked as it was intended to do. He accepted that that might be

stigmatized as giving the 1975 Act a purposive construction. That was however permissible and necessary when construing a statute giving effect to an international convention intended to be applied consistently in different jurisdictions.

On the estoppel issue his Lordship referred to *The Vistaford* (1988) 2 Lloyd's Rep 343 where the judgment of Lord Justice Bingham was authority for the proposition that estoppel by convention was not confined to an agreed assumption as to fact, but might be as to law, that the court would give effect to the agreed assumption only if it would be unconscionable not to do so and that once the common assumption was revealed to be incorrect the estoppel would not apply to future dealings.

In his Lordship's judgment, it would be unconscionable now to allow Mr Outthwaite to renege from the common assumption which preceded not only the fact that applications under the 1950 and 1979 Acts could be made, but by necessary implication that in respect of the award which stated on its face that it was dated at Paris such applications could be heard and determined on their merits. He would dismiss the appeal.

LORD JUSTICE McCOWAN said that he saw nothing to suggest that the arbitrator had not declared his final mind from the moment he put his conclusions in a formal document and signed it in front of a witness. Publication was not necessary to the validity of the award. His Lordship was therefore of the view that it was a Convention award within section 7(1) of the 1975 Act.

However, in disagreement with the Master of the Rolls, his Lordship concluded that the plain words of the 1975 Act led to the conclusion that Mr Sumption's argument with regard to the applicability of the 1950 and 1979 Acts was correct.

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Employers' knowledge irrelevant to tribunal's jurisdiction

Manifold Industries Ltd v Sims and Others

Before Mr Justice Knox, Mr A. C. Blythorn and Mr J. A. Powell [Judgment March 6]

When an industrial tribunal was considering whether it had jurisdiction to hear a claim for unfair dismissal by employees dismissed after taking part in industrial action within the meaning of section 2(1)(b) of the Employment Protection (Consolidation) Act 1978 the employers' knowledge of the employees' actions was not a relevant consideration.

The approach of the Employment Appeal Tribunal in *Bolton Roadways Ltd v Edwards* (1987) IRLR 392 was to be preferred to that of a different division of the appeal tribunal in *McKenzie v Crossville Motor Services Ltd* (1990) ICR 172.

The Employment Appeal Tribunal so held when remitting to an industrial tribunal a hearing which it had last April held that it had jurisdiction to hear a claim for unfair dismissal by six applicants, Mr H. Robinson, Mr L. Webb, Mr D. Schofield, Mr P. Davis, Mr D. Barrie and Mr T. Lambert. The respondent Mr G. Sims was one of the men dismissed but was not involved in the preliminary issue.

The employers had appealed on the ground, *inter alia*, that the industrial tribunal had misdirected itself in stating that the issues as to whether the applicants were taking part in industrial action depended on the actual knowledge of the employers when they took the decision to dismiss.

Section 62 of the 1978 Act provides: "(1) The provisions of this section shall have effect in relation to an employee (the complainant) who claims that he has been unfairly dismissed by his employer where at the

time when they took the decision to dismiss.

It held that the interviews were not adequate to enable the tribunal to decide as to whether the applicants were intending to participate in industrial action and concluded that section 62(1)(b) of the Act was not satisfied and therefore it had jurisdiction to hear the claimants.

There were conflicting decisions of the appeal tribunal upon the nature of the enquiry required by section 62(1)(b). In *McKenzie v Crossville Motor Services* Mr Justice Wood held that the enquiry was to be made at the time of the dismissal was material. That conflicted with the view expressed by Mr Justice Scott in *Bolton Roadways Ltd v Edwards*.

In his Lordship's view the latter approach was correct. There was no reference in section 62(1) to the reason for the employer's dismissal. The question whether the six applicants were taking part in industrial action would be remitted to the industrial tribunal for determination as an objective fact and not by reference to what the employers knew.

The appeal would be allowed and leave to appeal granted. Solicitors: Fishers, Burton & Trevelyan.

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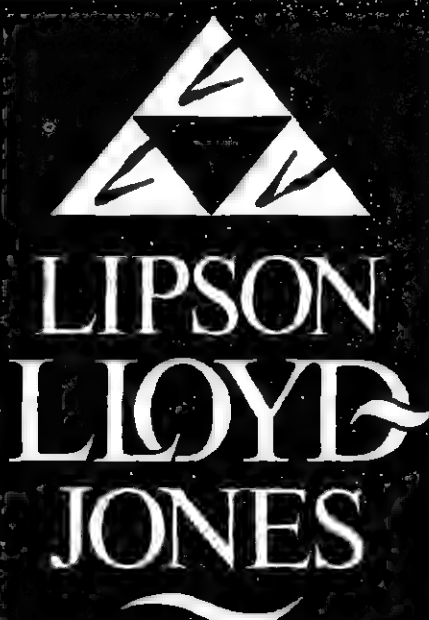
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Scots build bridge to the Continent

Edward Fennell finds that Scottish firms see London as the key to a European foothold

Many leading Scottish lawyers are asking what goals they should be pursuing at a time when their English cousins are widening their horizons. Edinburgh lawyers, particularly, are both the beneficiaries and the prisoners of Scotland's separate legal system. They serve a thriving financial centre and are dealing with a quality of work that would be generally beyond the aspirations of large firms in, say, Leeds and Manchester.

As Scottish property laws are different from those in England, important foreign investors have to use Scottish firms for Scottish transactions rather than the leading London firms.

In these respects, therefore, Edinburgh lawyers do well. The Scottish market, however, is inevitably small and imposes limits on growth. As a result, the largest Scottish firm, Dundas & Wilson, is only 39th in size in the *Legal 500*, a list published by the *Legalese* organisation, and is significantly smaller than big regional firms such as Edge & Ellison, Hammond Suddards, Mills & Reeve and Clarke Willmott & Clarke.

While most firms with ambitions for growth are trying to identify their business markets and goals, Scottish firms face several questions. Should they emphasise that they are Scottish or UK law firms? Should they belong to national groupings? What should they do about Europe?

agrees that a London connection is vital. McGrigor, too, has an English office and is keen to expand across the border. However, the firm has also taken the significant step of joining the predominantly English Legal Resources Group, which contains such firms as Dickinson Dees, in Newcastle upon Tyne, and Pinsent & Co, in Birmingham. Thanks to its membership of the group McGrigor shares a Brussels office.

All this makes McGrigor a significant and ambitious force. The firm's style and presentation in terms of office accommodation, technology and brochures already match those of the English market leaders, and although members are not obliged to exchange work, they inevitably do. McGrigor regards its membership of the group as an advantage and feels it has good structures for carrying out both UK and European work.

Not everyone agrees that foreign links are the answer. Dundas & Wilson, the market leader in Scotland, has an office outside Edinburgh and refuses to compromise its clean-cut Edinburgh image by joining a wider grouping. Instead, the firm has England-qualified lawyers on the staff and has recruited such people as Michael Stoneham, a Cambridge graduate and formerly of Allen & Overy, to underline its credentials for doing English work.



Branching out: Andrew Cable (left) and Lawrence Marshall, of Bird Semple Fife Ireland, see London as the doorway to Europe

INNS AND OUTS

High-flyer hits a rough patch

THE Brooklyn federal prosecutors have filed a 15-count indictment against Harvey Myerson, a New York lawyer, alleging that he and his firm overbilled clients by more than £1.3 million.

The indictment also claims that he illegally billed expenses of more than £500,000 to his firm. Mr Myerson is well known to the round of London senior partners that were courted to join his firm, Finley Kumble Wagner Underberg Manley Myerson & Casey, in 1987.

He has the dubious honour of being a name partner in two firms that went bankrupt. Finley Kumble, one of America's largest law firms, went bust in 1988 owing about £43 million. Mr Myerson then set up a new firm, Myerson & Kuhn. That firm filed for bankruptcy in December 1989.

In what the United States attorneys office describes as a massive fraud, the partners of Myerson & Kuhn allegedly padded bills to six clients listed in the indictment, including the leading bank Shearson Lehman.

Mr Myerson is also said to have passed on to his firm and clients the bill for a £47,000 Cartier ring, a £13,000 fur coat for a girlfriend, and monthly bills of about £54,000 run up on his American Express account, including thousands of pounds for a holiday at Claridges.

Mr Myerson is defending himself against the charges. If convicted he faces a maximum of 20 years in jail.

Help for faculties

WHILE finances are growing tighter for university and polytechnic law departments, legal aid practices and law centres, private practice is still seen as a pot of gold that can provide at least temporary relief for those struggling to survive.

Grants totalling £360,000 have recently been announced by the City Solicitors' Educational Trust, set up to meet the concern of some City law firms that under-resourced law faculties will be unable to produce sufficient numbers of high-calibre law graduates.

Paying on principle

SOLICITORS in the London borough of Wandsworth are being asked to covenant an average of £25 a month each to a scheme set up by the South London Law Society to maintain a law centre service in the borough. Wandsworth, which has the lowest poll tax in the country, withdrew all support to its three law centres last year.

Tony Holland, the president of the Law Society, has personally covenanted £200 a year for the next four years and it is hoped this will encourage City solicitors and charitable trusts to offer help, including the 70 local firms approached by the scheme.

No-ties marriages



IN THE belief that law firms have finally recognised the need to become scientific in their approach to marketing, Sue Vaux Halliday and Richard Chaplin have launched a specialist recruitment consultancy, Strategic Marketing Connections.

Instead of joining the scrum to marry lawyers to firms, they are branching into an untapped market, matching professional marketing people with law firms. To help define the new market, the consultancy has commissioned a survey of marketing people in firms. The results contained at least one surprise.

Ms Vaux Halliday says: "We assumed firms would not be interested in part-time marketing people. But when conducting interviews, we found a desire on both sides to go into a less committed relationship." As a result, the consultancy also hopes to establish a stable of marketing specialists working on single projects for law firms.

SCRIVENOR

In the wake of satanic child abuse allegations in Orkney and Rochdale, the criminal justice bill, which aims to make the courts less traumatic for child victims, has recently undergone a second reading in the House of Lords.

Child care groups say the improvements do not go far enough, but one mother, Mrs X, believes many offenders should not be prosecuted at all, but given therapy instead. Her belief is based on her own family's bitter experience — her two teenage daughters had to wait for more than a year for the case in which they alleged abuse by their father to come to court.

In that time their ambivalent feelings towards their father, and the problems that had developed, brought the family to the brink of destruction. Feelings of guilt and

Victims of abuse by the courts?

panic about the impending trial caused fits and violent behaviour in one, and symptoms of schizophrenia in the other.

Mrs X began to realise that the court ordeal was making things worse for her children, and that the court action was inappropriate to their needs. The children, Miss Y and Miss Z, wanted to break their father's power over them, to make him understand they were not frightened of him, and most of all for him to take responsibility for the problems in the family. They did not want him to go to prison.

Even during the trial, Miss Y hoped he would resist to save her from further anguish in court.

"He used to be a hero to me,

A family at the centre of child abuse allegations feel let down by the law.

The mother describes their ordeal

I never had a relationship with my mum, but my dad was everything. I expected him to stand up in court as a hero and do the honest thing. But he didn't. I wanted him to say 'I'm sorry'. That would have been good enough. Now I can't see him again or speak to him," she says.

There could be no reconciliation or remorse in court. It was Miss Y's word against her father's, and neither won in the long term.

"I felt isolated, alone, and I wanted my mum. I felt useless

and powerless, like I was the criminal, that I was wrong. The way they treated me compared with the way they treated my dad, made even my clean pants feel dirty. The barrister abused me in front of my dad, but I was not able to say many things back or tell him I wanted it to stop. I felt I was going mad," Miss Y says.

The case had always been a weak one, and one in which the daughters had to be persuaded to give evidence. There were no independent witnesses, and neither sister knew about the other's experience. The Crown Prosecution Service decided to go ahead because of the similarity of the sisters' statements, but in court, the judge decided there should be separate trials.

The decision undermined both prosecutions, which depended on the similarity, and the NSPCC child protection officer who had counselled Miss Y was not called as an expert witness.

Miss Y had also been told by police she would be screened from the courtroom, but when she arrived she found herself face to face with her father.

There were two trials. The father was acquitted on some charges, but in relation to others the jury was unable to

reach a verdict. The judge offered another retrial, but the prosecution dropped the case.

The ordeal had lasted 18 months from when the allegations of abuse were reported to the end of the trial. The whole episode had been a traumatic, humiliating experience for the family.

Mrs X now regrets the involvement of the police and the courts. She feels the only positive thing to come out of the experience is the counselling they received from the NSPCC worker.

"If it is not disclosed and addressed, it goes on to the next generation. The abused become victims for life, or tomorrow's perpetrators. It frightens me," she says.

DEAN NELSON

© The names of the persons involved have been withheld to protect their identity.

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CORPORATE C. £35,000 + CAR A high calibre lawyer is sought to join this multi-national company. Applicants will have a strong commercial flair and c. 2 years' experience in mergers, acquisitions and joint ventures.	BANKING TO £50,000 This highly successful medium sized London firm has an outstanding opportunity for a solicitor with at least 2 years' experience including standard loan documentation to develop a banking unit.	LEICESTER TO £22,000 + CAR This high profile company seeks a further lawyer to join the legal department. Applicants, solicitors or barristers, will handle a range of work including intellectual property, employment, contract and litigation.
LITIGATION TO £50,000 + BENS. This high profile group currently requires a commercial litigator. Applicants are invited from solicitors with a minimum of 4 years' experience including landlord and tenant, IP, insolvency and general commercial matters.	EEC/COMPETITION TO £45,000 This major central London firm requires 2 lawyers with 1 to 5 years' experience including trade law, anti dumping, agriculture matters, customs and a wide range of other issues. Language skills would be useful.	MIDDLESEX C. £35,000 + CAR A solicitor or barrister with a minimum of 3 years' experience in heavyweight contractual matters is required by this engineering company. Applicants will have a high level of responsibility and there will be some travel.
COMM. ROLE C. £30,000 + CAR A junior lawyer with a minimum of 1 year's experience is sought by this consumer goods company. As part of an established team, you will deal with M & A, contract, marketing law and employment work.	READING - LIT. TO £25,000 This 9 partner firm requires a solicitor to join a small department handling medical negligence work for plaintiffs. Applicants should have good academics and a minimum of 6 months personal injury experience.	SURREY TO £14,500 + BENS. Legal executive or law graduate is required by this company. Applicants will ideally have c. 3 years' experience in repossession work and conveyancing and will handle a diverse workload.

The above are only a small selection from the positions we are currently instructed to fill. All approaches are treated in the strictest confidence and we never send out your CV without your express consent.

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For further information in complete confidence, please contact Gareth Quarry on 071-405 6062 (071-228 5345 evenings/weekends) or write to Quarry Dougall Recruitment, 9 Brownlow Street, London WC1V 6JD.



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An additional lawyer is now sought. The ideal candidate will be a senior assistant or partner elsewhere (although those with upwards of 3 years' relevant experience are encouraged to apply), who will combine technical expertise with excellent interpersonal skills and a flair for practice development.

The salary package and prospects (which include a partnership for the right person) are excellent.

For further information in complete confidence, please contact Adrian Fox on 071-405 6062 (071-625 9417 evenings/weekends) or write to him at Quarry Dougall Recruitment, 9 Brownlow Street, London WC1V 6JD.

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CHAMBERS & PARTNERS

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Disguised Redundancies

Whichever senior partner you speak to, you get a similar story: "Our workload is holding up remarkably well," they say, looking you steadily in the eye, "Especially when you consider the recession and the way it has affected most of our competitors." Many firms are unwilling to admit that they themselves are suffering. If they lay off staff, they claim to do so for specific reasons: they are not - God forbid! - making anyone 'redundant'.

These disguised redundancies can prove awkward for the people being laid off. A candidate came to see us this week, for instance, whose workload had been declining for the past six months. He had begun to wonder when he would be made redundant. When the blow came, he was surprised to learn that he was being dismissed because he was showing a lack of commitment.

Another kind of disguised redundancy is affecting senior assistant solicitors in the large firms. Never before have I seen so many lawyers of high calibre seeking to move because they have been 'passed over' for partnership. In the past, firms would keep the hope of a partnership alive for years, telling those not made up this year that their chances next year looked highly promising. Today the attitude is rather different. Senior assistants are being told that their partnership prospects are non-existent, and that if they wish to become a partner they should look elsewhere. Being pointedly 'passed over' is the latest guise in which redundancy can strike - more subtle, perhaps, but quite as devastating. Michael Chambers

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Employment Lawyers: City

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Criminal Advocacy: Hants

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Outstanding opportunity for experienced solr to join specialist team in leading firm.

Commercial Property: City

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Redundant?

Redundancy at all levels has become all too prevalent within the Legal Profession. However, it need not be treated as an inevitable and irreversible consequence of the recession. On the contrary, it is a time to react positively and purposefully.

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For further information in complete confidence, please contact Jonathan Macrae or Gareth Quarry on 071-405 6062 (071-288 5345 evenings/weekends) or write to them at Quarry Dougall Recruitment, 9 Brownlow Street, London WC1V 6JD.



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For further details contact Anna Nicholas, Michael Turner or Marc Connell. Tel (071) 583 0073 (Day) or (081) 870 1314 (Evenings & Weekends). 16-18 New Bridge Street, London EC4V 6AU. Or fax your CV on (071) 583 3908. For details of locum positions please contact Helen Pearson on (071) 583 0073.

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Shipping Litigation

Our client, a leading City practice with an international reputation in the admiralty field, seeks to recruit shipping litigators to participate in the continuing growth of its Admiralty department. This department handles both wet and dry shipping disputes including collisions and salvage, claims arising from wreck removal and oil and chemical pollution, charterparty and bill of lading disputes, cargo claims and general shipping related matters.

Applications are invited from qualified lawyers with up to five years' experience in wet and/or dry shipping litigation.

MP
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Candidates must possess excellent negotiating skills and the team spirit necessary to work closely with both clients and colleagues.

Salary and career prospects are amongst the best in London.

For further information telephone Bridget O'Hare on 071-831 2000 or write to her at Michael Page Legal, Page House, 39-41 Parker Street, London WC2B 5LH. Details will be held in the strictest confidence and will not be released to our client without express prior permission.

THE CHAMBERS OF THE HON. JOHN MELVILLE WILLIAMS Q.C.

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are pleased to announce that
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THE JOB

The company's Secretarial Department, which is responsible for the secretarial, legal, legal 'helpline', pensions and related administrative matters, is seeking a Legal Consultant for its Helpline facility.

The Legal Consultant (Helpline) will join a team of experts providing General Accident policyholders with a telephone advisory service on a wide range of legal topics. Applications for this post are invited from legally qualified persons or others experienced in giving general legal advice, who enjoy helping people with their legal problems. The successful candidate will possess, or be prepared to develop, a good general knowledge of all areas of the law and be able to communicate well on the telephone. The legal helpline forms part of a section which provides legal services to the General Accident Group.

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The company is offering a first-class remuneration package, which includes performance-related pay, subsidised company mortgage, non-contributory pension and death-in-service benefits and help with relocation expenses where applicable.

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The Staff Superintendent (Head Office)
Personnel Department
General Accident
Pitheavlis, Perth, Scotland PH2 0NH

General Accident



DIRECTOR

Usha Prashar, the Director for the past 5 years, is leaving the National Council for Voluntary Organisations at the end of August.

NCVO

NCVO is the voice of the voluntary sector in England. It is a membership body whose main aims are to promote the interests and effectiveness of voluntary organisations and extend their involvement in responding to social, environmental and economic issues.

THE JOB

This is a high profile appointment:

- To lead and manage NCVO in dealing effectively with the challenges confronting voluntary organisations and the sector in the 1990's.
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- Proven senior management experience and skills.
- Proven ability to communicate effectively with a range of people including voluntary organisations, government and the business world.
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CONDITIONS AND HOW TO APPLY

Salary Range: £38,747 - £45,057 inclusive. Pension Scheme. For details please write to the Chairman (D1), NCVO, 26 Bedford Square, London WC1B 3HU, or telephone (24 hour ansaphone) 071 414 0143, quoting reference D1. Closing Date: 8th April 1991.

NCVO is an Equal Opportunities Employer.

MANCHES

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MANCHES & CO. is an expanding commercial practice having recently moved to modern offices, fully equipped with leading edge technology, and close to the Royal Courts of Justice.

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The applicant should be a qualified solicitor of 3 to 5 years standing with a broad range of commercial litigation experience. Previous experience in areas of specialisation such as construction, insolvency or product liability, while not essential, would be advantageous. The applicant should be used to carrying a high level of responsibility for his/her own caseload, and be prepared to make a substantial contribution to the future development of the department.

For further details please write with CV to James Foster.

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The applicant should, ideally, be a 1/2 years qualified solicitor, able to carry own case load and assist the senior fee earners in this well established, progressive and busy department. He or she should share our philosophy of working with the client towards an agreed solution wherever possible, while being prepared to litigate effectively when appropriate.

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THE OFFICE OF THE BANKING OMBUDSMAN

Assistant Banking Ombudsman Senior Legal Officer

The Banking Ombudsman Scheme covers most individuals who receive banking services within the U.K. The ombudsman can make binding awards of up to £100,000. Because the Scheme is seen as providing an attractive alternative to the courts, the volume of work continues to increase. As a result the ombudsman wishes to expand the existing staff of 21 which includes 8 qualified lawyers and a resident banking adviser. Solicitors or barristers with experience and proven ability are sought to help the Ombudsman investigate and resolve complaints, many of which are complex. The work is varied and challenging. Impartiality, numeracy and drafting skills are required. Salaries of not less than £35,000 and £30,000 respectively.

Applicants should apply in writing with a C.V. to:

The Ombudsman, The Office of the Banking Ombudsman, Citadel House, 5/11 Fetter Lane, London, EC4A 1BE.

City West End

TEAMS/BOLT ONS

The current recruitment climate has in no way lessened the number and variety of instructions we are receiving from practices in London and throughout the country looking to merge or acquire bolt ons.

These range from firms wishing to increase their size and effectiveness to those wishing to attract bolt ons in niche areas to complement their own areas of practice. All enquiries will be treated by us at director level and in the strictest confidence.

EC LAW PARTNER

A recognised City practice has a need for an additional senior lawyer to join its high profile team advising a wide range of corporate clients on UK and EC competition law. Aspects covered include monopolies and merger investigations, anti-trust and trade cases. Practical experience and proven ability in this field will be essential. This is a senior appointment leading to early partnership.

COMMERCIAL LITIGATION

An ambitious young litigation solicitor is sought by a recognised medium-sized City practice. The successful candidate will have some sound relevant experience coupled with a good academic record. He/she can expect to be involved in a stimulating mix of high quality work with excellent prospects of advancement.

Out of London

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RESIDENTIAL CONVEYANCING

Our client is a well-known PLC involved in property development throughout London and the South East. A solicitor is required to specialise in residential conveyancing matters.

Reporting to a director, the appointee will be responsible for the legal documentation and processing of the company's plot sales including related part-exchange transactions. Future responsibilities may include land acquisition and other associated work.

Applicants will offer good relevant experience of estate conveyancing, obtained either in private practice or in a company, and must be able to establish a complete management system to deal with the volume of work.

A strong, positive attitude, total commitment and ability to work under pressure are essential.

The remuneration package is commensurate with the responsibility of this position and includes a company car amongst other benefits.

Please reply in confidence to:

Mack Dinshaw (MANAGING DIRECTOR) of John Masi

Law Personnel

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To manage a Department delivering the highways, transportation, and waste management services in one of the largest UK Local Authorities, serving a population of 1.5 million.

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Write in confidence, enclosing Curriculum Vitae, quoting reference 7369/ST to:-

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To manage a Social Services Department which has a reputation for innovation in one of the largest UK Local Authorities, serving a population of 1.5 million.

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- THE REQUIREMENT** is for a record of successful senior management in social or related services. The ability to develop and implement imaginative service policies and achieve maximum value for money is essential.
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150-160



Those magnificent men in the flying marines

its airborne capability is now an integral element of the service. Sergeants and corporals in the Royal Marines have the opportunity to fly Gazelles and Lynx helicopters earlier in their careers than in the other services. Captain Steve Heywood, a helicopter pilot, says: "It is extremely demanding, and a mistake could kill you, even in peacetime. Then add to that the wartime requirements."

● *Contact a Royal Navy or Royal Marine careers information office, or write to SO2R, Department of Commandant-General Royal Marines, Ministry of Defence (Navy), Old Admiralty Building, Spring Gardens, London SW1A 2HB.*

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was not picked up," an official said.
